



Most people find it hard to get excited about a constitution. But this constitution is (in relative terms) exciting! It documents the Biblically faithful parameters of belief for NBBC (our Statement of Faith and Core Commitments) and a thoroughly collaborative system of operation. It is a very important document for the safe and efficient operation of North Beach Baptist Church.

**SECTION A** of this booklet provides a summary of our constitution, including a full copy of our mission, vision and membership covenant. Carefully reading these pages may provide all the information you need to know.

**SECTION B** contains our whole constitution – which is the registered, detailed document that provides our governance framework in accord with Australian law.

### 1 Corinthians 14:40

*‘But everything should be done in  
a fitting and orderly way’*

# SECTION A - Constitution Summary

This provides the core statements of the church, a summary of the leadership structure and details about Membership.

## 1 Core statements of the church

### Our Mission: 'We exist to be...'

- Devoted to glorifying and enjoying God, reaching out to those who don't know Jesus, and growing those who do.

### Our Vision: 'We see...'

- A vibrant church intentionally serving the surrounding suburbs, the wider community and the world, with the gospel of Jesus in word and deed.
- A growing community passionately responding to God, maturing in Christ, faithfully gathering together, and serving one another in love.
- A church that equips all people to pass on the gospel to the coming generations who will impact the world for Jesus in their lifetime.

## Statement of faith [rule 7 of the constitution]

### We believe:

- a. That the whole of the Scriptures of the Old and New Testaments as originally given, are the verbally inspired Word of God, supreme in authority and completely free from error.
  - b. In one true God: The Father, the Son, and the Holy Spirit, these being the same in substance and equal in power and glory.
  - c. In the Deity and perfect humanity of our Lord Jesus Christ who was conceived by the Holy Spirit and born of the Virgin Mary, His substitutionary death, His bodily resurrection and ascension, and His unchanging office as High Priest.
  - d. In the personal nature of the Devil and his desire to draw people away from God.
  - e. In the fallen, sinful and lost state of all people.
  - f. In God's provision of full salvation through the shed blood of Jesus Christ from the punishment and power of sin. All who are willing, receive it by repentance towards God and faith in the Lord Jesus Christ.
  - g. In the Person and work of the Holy Spirit in the immediate regeneration of believers and in their sanctification.
  - h. In the everlasting consciousness of the person, the resurrection of the body, the renewal of the whole creation, the everlasting fellowship and joy of the saved, the everlasting punishment of the lost and the final judgment of all people.
- i. That the Church is God's chosen people and priesthood, the company of all believers born of the Holy Spirit, and formed into one body of which Christ is the Head.
  - j. That God created human beings male and female, equally made in the image of God, and that marriage is between a man and a woman, as a type of the union between Christ and His church.
  - k. The personal and visible bodily return of Jesus Christ.
  - l. That the observance of the two ordinances of the Lord Jesus Christ, namely, Baptism and the Lord's Supper is a Scriptural requirement upon all believers. Baptism is a water rite that symbolises the cleansing from sin and the fellowship of the believer in their Lord's death, burial and resurrection, upon profession of faith in the Lord Jesus Christ. The Lord's Supper is a memorial of the sacrifice of the body and blood of the Lord Jesus Christ until His return.

# The 'objects' of the church [rule 8 of the constitution]

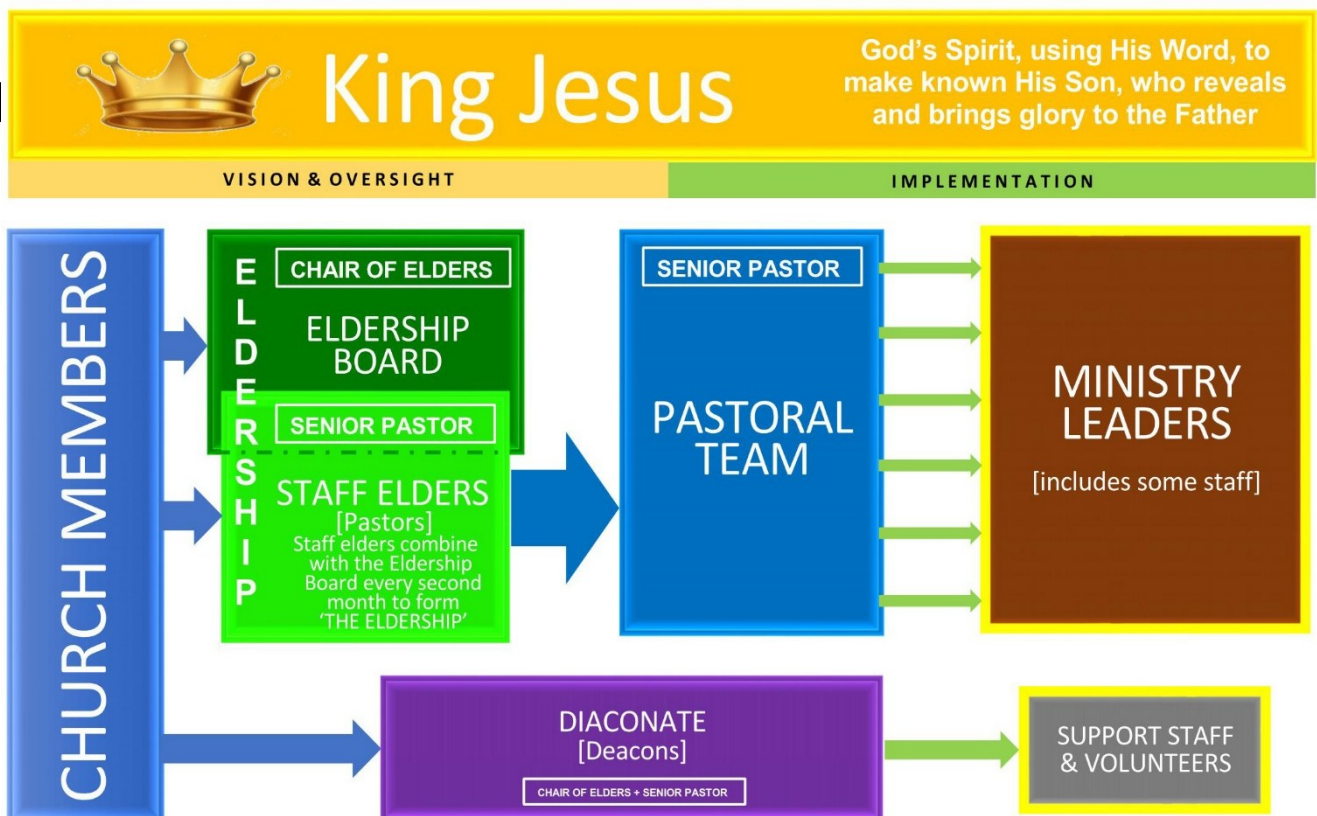
The purpose of the Church shall be to glorify God by:

- a. In every possible way, seeking to make disciples of Jesus Christ and bringing them into His church.
- b. Promoting and providing opportunities for people to meet together regularly for worship, prayer, teaching, encouragement and fellowship and to comfort, strengthen, instruct, help, exhort and pray for one another.
- c. Engaging in the task of mission, principally within Australia but also overseas.
- d. Enabling and encouraging Christians to discover, develop and use their gifts for the service of the Lord Jesus Christ in the Church and in the community by ministering to the needs of people.
- e. Providing support, including but not limited to financial support, to those in need, including Members.
- f. Such other activities that are consistent with the foregoing objects.

# Our Core Commitments [rule 9 of the constitution]

We are committed to:

- a. The Good News that God's Son, Jesus Christ, gave up His life for the sins of the world, and rose from death to rule over everything.
  - b. Clear, Christ-centred Bible teaching that calls everyone to trust in Jesus Christ alone as Saviour and obeying Him as Lord.
  - c. Engaging people outside the church with the person and claims of Jesus Christ.
  - d. Church activity which is welcoming and understandable to newcomers.
  - e. Praying to God our Father, in dependence on His rule over all things, and seeking to pray according to His will.
  - f. Displaying the fruit of God's Spirit, setting our minds on what His Spirit desires, and seeking the gifts of the Spirit that are good for building up the church.
- a. Regularly meeting together to encourage one another to worship God in lives of loving, sacrificial service.
  - b. Caring well for all age groups within our Church family.
  - c. Serving together, generously using the gifts, abilities and resources God has given, for His glory.
  - d. Encouraging people to dedicate their lives to Gospel ministry and to supporting Gospel ministry to the ends of the earth.
  - e. Working towards easing the burden of the poor and the oppressed in our community and throughout the world.



## **In words, this structure looks like this:**

### **Church Members Meetings** [Rules 24.3.2, 24.4 & 24.5]

Members exercise the highest level of governance of NBBC via Church Members Meetings, which take place 4 times a year and as needed. The following points relate to the FUNCTION of Church Members Meetings:

- Oversight of NBBC's constitution and values.
- Adoption/management of membership wide policies (such as our Membership Covenant)
- Appointing the non-staff elders & the Senior Pastor ('The Eldership Board').
- Appointing Associate Pastors.
- Appointing deacons.
- Adopting the budget.
- Approving loans and major changes to buildings.
- Approving major changes to ministry.

### **Eldership Board** [Non-staff elders and the Senior Pastor, rule 17]

The Senior Pastor and non-staff elders form the Eldership Board. The Eldership Board meets 5 – 6 times a year. The following points relate to the FUNCTION of the Eldership Board:

- The Board appoints its own chair.
- The chair (in consultation with the Senior Pastor) sets the agenda for meetings and produces Briefing Notes.
- Meetings are focused on governance:
  - Spiritual oversight of the whole church, including matters of church discipline.
  - Assisting and encouraging the Senior Pastor in his staff leadership role, and in keeping the senior pastor accountable to the ministry plan and personal godliness.
- The Eldership Board can co-opt others (including Associate Pastors) to join them for specific meetings in order to discharge the Board's responsibility well.

### **The Eldership** [all elders, rule 18]

Staff elders join with the Eldership Board every second month (5 – 6 times a year). The following points relate to the FUNCTION of the Eldership:

- The chair of the Eldership Board chairs meetings, but the Senior Pastor (in consultation with the chair) sets the agenda and produces the Briefing Notes.
- The focus of the spiritual oversight is governance, not day to day ministry (which is the focus of the Pastoral Staff Team).
  - Adoption/management of ministry policy.
  - Ministry development.
  - Refine ministry plans (annual goals).
  - Oversight of implementation of ministry plans (annual goals).
  - Responsible for managing nominations to the Eldership Board.

### **The Diaconate** [Senior Pastor, Chair of Elders & Deacons, rule 20]

The Diaconate meet every second month (5 to 6 times a year). The following points relate to the FUNCTION of the Diaconate:

- Meetings are focused on management
- Comprises of deacons and the Chair of the Eldership Board and the Senior Pastor (both ex-officio, with voting rights).
- Adoption/management of management policy.
- In accord with the adopted budget, appoint ministry support staff (such as cleaners and book keeper).
- Oversight of financial management (reporting to the Eldership Board and Members Meeting).
- Property maintenance & management.
- Safe Church compliance.
- ACNC compliance and be the ACNC responsible persons.
- Constitutes the management committee for the purposes of the Act.

### **The Pastoral Team**

- Meetings are focused on ministry.
- Led by the Senior Pastor.
- Review of day to day ministry.
- Oversight of day to day ministry.

- Work on ministry development, including the implementation of current ministry plans (annual goals), and the formation of future ministry plans (the Senior Staff Team is the powerhouse for forming ministry plans, keeping The Eldership in the loop, utilising feedback from The Eldership, and looking to The Eldership to pass the plans onto The Eldership Board.
- Manage the preaching/teaching program.
- Monitor and respond to day to day discipleship needs and opportunities.

## ③ How the membership functions

### **Members** [rule 10.1 of the constitution]

- Members of the Church, excluding Non-Resident Members, all have full voting rights and any other rights conferred on them by this Constitution or approved by General Resolution at a Church Members Meeting

### **Eligibility to apply for Membership** [rule 10.2 of the constitution]

To be eligible to apply to become a Member, a person must:

- be a believer in our Lord Jesus Christ;
- have been baptised by immersion, except for any person who for reasons of physical incapacity cannot be baptised by immersion but is committed to the principle of believers' baptism by immersion and, as a believer, undertakes another form of public declaration of faith;
- display evidence of Christian growth;
- abide by this Constitution;
- be at least 18 years of age; and
- have regularly attended Services at the Church for at least 3 months immediately prior to making an application to become a Member;

### **Standard of church Membership** [rule 10.3 of the constitution]

- To live a life in conformity with the Scriptures.
- To be committed to growing spiritually.
- To attend the Services regularly.
- To seek to grow the church and God's Kingdom.
- To engage in some form of active service for Christ through the church according to our God-given talents.
- To share in the governance of the church by regular attendance at the Church Members Meetings.
- To support the work of the church prayerfully and financially.
- To seek to protect the health and unity of the church.
- To keep confidential matters within the church membership.

***The responsibility and privilege  
of membership is captured in a  
Membership Covenant which was  
formally adopted by the Membership  
on 20 August 2017:***



# Membership Covenant

Having received Christ as my Lord and Saviour and having been baptised as a believer, and being in full agreement with North Beach Baptist Church's values and statement of faith, I unite with the North Beach Baptist Church family, as an active member. In doing so, by God's grace, I commit myself to God and other members to do the following:

## ■ I will seek to grow spiritually:

- By holding the good news of Christ central in my life and applying it to how I live.  
[John 3:16](#); [2 Tim 2:8](#); [1 Cor 15:1-4](#); [Col 2:6-7](#); [Eph 5:1-2](#); [Titus 2:11-14](#)
- By devoting time to personally feed on God's word.  
[Ps 1:1-3](#); [Ps 63:1](#); [Ps 119:14-16](#); [Acts 2:42](#); [2 Tim 3:14-17](#)
- By following God's will, with God's help, to live a godly, self-controlled and upright life.  
[Titus 2:11-14](#); [Gal 5:16-26](#); [Eph 4:17-24](#); [2 Pet 1:3-9](#)

## ■ I will seek to be actively involved:

- By making attendance at a Sunday gathering and a Growth Group a high priority in my week.  
[Heb 10:24-25](#); [Col 3:15-17](#); [Acts 2:44-47](#)
- By humbly serving in a Sunday gathering and/or ministry of the church.  
[Mark 10:45](#); [Luke 22:24-27](#); [Rom 12:3-8](#); [1 Cor 12:4-7](#); [1 Pet 4:10-11](#)
- By cultivating genuine Christian relationships and warmly welcoming visitors and new-comers.  
[Jn 13:34-35](#); [Rom 12:10, 13](#); [1 Thess 4:9-10](#); [Heb 13:1-3](#); [1 Pet 1:22](#)

## ■ I will seek the growth of our church and God's kingdom:

- By praying for and supporting its people, ministries, leaders and mission partners.  
[Col 4:2-4](#); [Eph 4:15-16](#); [Eph 6:18-19](#); [1 Thess 5:11, 16-18](#); [Heb 3:12-14](#)
- By sharing my faith in Jesus with unbelievers.  
[Matt 28:18-20](#); [Rom 10:9-15](#); [Col 4:5-6](#); [1 Pet 3:15-16](#)
- By sacrificially and cheerfully giving to our church.  
[2 Cor 8:7-12](#); [2 Cor 9:6-7](#); [1 Cor 16:1-2](#); [1 Cor 9:7-11](#); [1 Tim 5:17-18](#)

## ■ I will seek to protect the unity of our church:

- By holding firmly to the core teachings of the faith and lovingly bearing with each other's differences in the matters of freedom.  
[1 Cor 15:2](#); [2 Thess 2:14-15](#); [Eph 4:1-3](#); [Rom 14:1](#); [Rom 15:1-3](#)
- By forgiving sins against me and asking for forgiveness of my sin, with the aim for reconciliation.  
[Matt 6:12-15](#); [Matt 18:21-22](#); [Col 3:13](#)
- By submitting to the appointed leadership as they submit to both Christ and the membership.  
[Heb 13:7-9, 17](#); [1 Pet 5:1-5](#); [1 Thess 5:12-13](#)

## ④ Becoming a formal member of NBBC

Whatever your circumstances – single, married, single again, with or without children – and no matter where you've been or what's happened in your life, you are welcome at North Beach Baptist Church. Anyone over 18 who personally trusts Jesus as their Lord and has demonstrated that by believer's baptism by immersion, may request to formally become a formal member of North Beach Baptist Church.

### **What difference does formal membership make?**

Only those formally in membership have the opportunity to vote at our Church Members Meetings (participating for example, in the appointment of pastoral staff). Hence, Formal Membership is an important means of having an active interest in the present and future ministry of the church.

Far more than being a formality, church membership is a step of commitment to this particular church, as a way of serving Jesus. As one contemplates this important move, the following aspects of membership are worth considering. Formal church membership:

- is a public declaration that the individual is believer (Ephesians 2:19; Romans 12:5).
- clearly and publicly aligns us with a spiritual family to support and encourage us (Galatians 6:1-2).
- gives us a place to discover and use our gifts in ministry (1 Corinthians 12:4-27).
- places us under the spiritual protection of godly leaders (Hebrews 13:17; Acts 20:28-29).
- gives us the accountability we need to grow in the faith (Ephesians 5:21).

Although all these aspects can be true of any person who attends North Beach Baptist Church, becoming a formal member is a step that we believe mature Christians ought to seriously consider.

### **How to become a formal member**

To formally become a member of NBBC, please contact church administration (in person, or via 'admin@nbbc.org.au'), or speak to any of the elders/pastors. A time will be organized for a very encouraging, ministry focused, pastoral visit. In short, this is an opportunity to get to know one another better and to have a time of spiritually encouraging conversation. During this visit, discussion will be centred on spiritual matters, such as your journey to faith, baptism and how we as a church can further encourage you. The Membership Covenant overleaf summarises what we see as the important responsibilities of formal membership.

After this discussion, a brief report will be made to the Eldership Board, and upon Eldership Board approval, the Members will vote on your acceptance as a Member at the next Church Members Meeting. Upon acceptance, you will be welcomed into membership, and included on the Membership Register as a Voting Member.

# ■ SECTION B – Full Constitution

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## 1 NAME

The name of the Association shall be North Beach Baptist Church Inc. (“the Church”)

## 2 TERMS USED

In these rules, unless the contrary intention appears —

*ACNC means the Australian Charities and Not-for-profits Commission;*

*Act means the Associations Incorporation Act 2015;*

*Alteration means an alteration to this **Constitution** as provided in rule 33;*

*Annual General Meeting, of the **Church**, means a **Church Members Meeting** as provided in rule 24.3 that all **Members** are entitled to receive notice of and to attend;*

*Applicant Member means a person applying to become a **Member** as provided in rule 10.4;*

*Approved Signatory means a person authorised by the **Diaconate** to sign, with another **Approved Signatory**, cheques, drafts, bills of exchange, promissory notes and other negotiable instruments of the **Church** pursuant to rule 25.1.4;*

*Associate Pastor means a person appointed as an associate pastor of the **Church** pursuant to rule 13;*

*BUWA means The Baptist Union of Western Australia Incorporated;*

*Chairperson means the person appointed to preside at a **Church Members Meeting** pursuant to rule 24.8;*

*Church means the incorporated association referred to in rule 1;*

*Church Associate Pastor Agreement is the agreement between the **Church** and an Associate Pastor as provided in rule 13.4.3;*

*Church Members Meeting means an **Annual General Meeting**, a **General Meeting** or a **Special General Meeting** as provided in rule 24.1;*

*Church Records means this **Constitution**, the minutes of any **Church Members Meeting**, the **Membership Register**, the **Register of Office Bearers** and any reports presented at any **Church Members Meeting** as provided the meaning given in rule 28.1;*

*Church Senior Pastor Agreement is the agreement between the **Church** and the Senior Pastor as provided in rule 12.4.3;*

*Commissioner means the person for the time being designated as the Commissioner under section 153 of the **Act**;*

*Constitution means this constitution of the **Church**;*

*Deacon means a person appointed as a deacon of the **Church** pursuant to rule 15.4 or rule 15.5.3;*

*Deacon Nominee means a person nominated for appointment as a **Deacon** as provided in rule 15.4.1;*

*Diaconate has the meaning given in rule 20 and has the delegated power to manage the affairs of the **Church** and constitutes the management committee of the **Church** for the purposes of the **Act**;*

*Diaconate Chair means the **Deacon** holding office as the chairperson of the **Diaconate** referred to in rule 30;*

*Diaconate Meeting means a meeting of the **Diaconate**, being either an **In Person Diaconate Meeting** or a **Virtual Diaconate Meeting**, as referred to in rule 20.4;*

*Diaconate Member means a member of the **Diaconate** pursuant to rule 20.1;*

*Elder means a member of the **Eldership** pursuant to rule 18.1;*

**Eldership** means the eldership of the **Church** referred to in rule 18.1;

**Eldership Board** means the eldership board of the **Church** referred to in rule 17.1;

**Eldership Board Chair** means the **Non-Staff Elder** holding office as the chairperson of the **Eldership Board** referred to in rule 17.3;

**Eldership Board Meeting** means a meeting of the **Eldership Board**, being either an **In Person Eldership Board Meeting** or a **Virtual Eldership Board Meeting**, as referred to in rule 17.4;

**Eldership Board Member** means a member of the **Eldership Board** pursuant to rule 17.1;

**Eldership Chair** means the **Non-Staff Elder** holding office as the chairperson of the **Eldership** referred to in rule 18.3;

**Eldership Meeting** means a meeting of the **Eldership**, being either an **In Person Eldership Meeting** or a **Virtual Eldership Meeting**, as referred to in rule 18.4;

**Financial Records** means the financial records of the **Church** as referred to in rule 25.1.6 and as defined in section 62 of the **Act**;

**Financial Report**, of a tier 2 association or a tier 3 association, referred to in rule 25.2 and as defined in section 62 of the **Act**;

**Financial Statements** mean the financial statements referred to in rule 25.2 and as defined in section 62 of the **Act**;

**Financial Year**, of the **Church**, has the meaning given in rule 4;

**General Meeting**, of the **Church**, means a **Church Members Meeting** as provided in rule 24.4 that all **Members** are entitled to receive notice of and to attend;

**General Resolution** means a resolution referred to in rule 24.9.5;

**In Person Eldership Meeting** means an **Eldership Meeting** conducted in person pursuant to rule 18.4.1.1;

**In Person Eldership Board Meeting** means an **Eldership Board Meeting** conducted in person pursuant to rule 17.4.1.1

**In Person Diaconate Meeting** means a **Diaconate Meeting** conducted in person pursuant to rule 20.4.1.1

**Meeting Request** means a request to call a **Special General Meeting** as provided in rule 24.5.4;

**Member** means a person who is a member of the **Church** referred to in rule 10 and may be either a **Voting Member** or a **Non-Resident Member**. Members may also be referred to as **Ministry Partners**;

**Membership Covenant** means the **Membership Covenant** as approved by the **Members** from time to time;

**Membership Register** means the register of **Members** of the **Church** referred to in rule 10.8;

**Ministry Leader** means a person appointed pursuant to rule 22;

**Minute Books** means the records of the minutes of **Church Members Meetings**, **Eldership Board Meetings**, **Eldership Meetings** and **Diaconate Meetings**;

**Non-Staff Elder** means a person appointed as a non-staff elder of the **Church** pursuant to rule 14.4;

**Non-Staff Elder Nominee** means a person nominated for appointment as a **Non-Staff Elder** as provided in rule 14.4.1;

**Non-Resident Member** is a **Member** who has become a non-resident member of the **Church** pursuant to rule 10.6.2 and who does not have any voting rights as referred to in rule 10.6.1;

**Notice** required to be given to an individual **Member** or **Members**, that is not a notice regarding a **Church Members Meeting** required to be served on each **Member** personally pursuant to rule 24.6.2, is given to an individual **Member** or **Members** by personally delivering that notice to each such

individual **Member** or **Members** and/or by sending that notice to each such individual **Member** or **Members** at the residential, postal or email or other **Diaconate** approved electronic address/es in the **Membership Register** for that **Member** or those **Members**;

**Notice to Office Bearer** means a notice given to an **Office Bearer** by personally delivering that notice to that **Office Bearer** and/or by sending that notice to that **Officer Bearer** at the residential, postal or email or other **Diaconate** approved electronic address/es in the **Register of Officer Bearers** for that **Officer Bearer**;

**Office Bearer** means an office bearer of the **Church** as referred to in rule 16.1;

**Pastor** means the **Senior Pastor** or an **Associate Pastor**;

**Pastoral Search Team** means the pastoral search team appointed by the **Eldership** pursuant to rule 12.4.1 or rule 13.4.1;

**Pastoral Team** means the pastoral team of the **Church** referred to in rule 19.1;

**Pastoral Team Meeting** means a meeting of the **Pastoral Team** as referred to in rule 19.3;

**Poll** means the process of voting in relation to a matter that is conducted in writing as provided in rule 24.9.6;

**Proposed Associate Pastor** means a person nominated for appointment as an **Associate Pastor** as provided in rule 13.4.2;

**Proposed Senior Pastor** means a person nominated for appointment as **Senior Pastor** as provided in rule 12.4.2;

**Revenue** means income that arises in the course of the ordinary activities of the **Church**;

**Register of Office Bearers** means the register of **Office Bearers** of the **Church** referred to in rule 16;

**Requesting Members** means the **Members** requesting the calling of a **Special General Meeting** as provided in rule 24.5.4;

**Responsible Officer** means a person eligible to be a member of the management committee of the **Church**, being the **Diaconate**, as provided in the **Act**;

**rules** mean these rules of the **Church** in this **Constitution**, as in force for the time being;

**Senior Pastor** means the person appointed as the senior pastor of the **Church** pursuant to rule 12;

**Service** means a worship service held at the **Church**;

**Special General Meeting, of the Church**, means a **Church Members Meeting** as provided in rule 24.5 that all **Members** are entitled to receive notice of and to attend;

**Special Resolution** has the meaning given by the **Act** as referred to in rule 24.9.6;

**Subcommittee** means a subcommittee established pursuant to rule 21;

**Staff** means employed by the **Church** in accordance with an employment contract;

**Subcommittee Appointor** has the meaning given in rule 21.1;

**Support Worker** means a person appointed pursuant to rule 23;

**tier 1 association** means an incorporated association with **Revenue** of less than \$250,000 per year;

**tier 2 association** means an incorporated association with **Revenue** between \$250,000 and \$1,000,000 per year;

**tier 3 association** means an incorporated association with **Revenue** of or exceeding \$1,000,000 per year;

**Treasurer** means the person appointed as the treasurer of the **Church** pursuant to rule 15.5.3;

**Treasurer Nominee** means the person nominated for appointment as a **Treasurer** as provided in rule 15.5.3.1;

**Virtual Eldership Meeting** means an **Eldership Meeting** conducted by electronic communication pursuant to rule 18.4.1.2;

**Virtual Eldership Notice** means a notice given to **Elders** pursuant to rule 18.4.10.2;

**Virtual Eldership Board Meeting** means an **Eldership Board Meeting** conducted by electronic communication pursuant to rule 17.4.1.2;

**Virtual Eldership Board Notice** means a notice given to **Eldership Board Members** pursuant to rule 17.4.11.2

**Virtual Diaconate Meeting** means a **Diaconate Meeting** conducted by electronic communication pursuant to rule 20.4.1.2;

**Virtual Diaconate Notice** means a notice given to **Diaconate Members** pursuant to rule 20.4.9.2; and

**Voting Member** means a **Member** who has not become a **Non-Resident Member** and who has full voting rights as referred to in rule 10.7.

### 3 AFFILIATION

The Church is affiliated with BUWA.

### 4 FINANCIAL YEAR

The Financial Year of the Church is the period of 12 months commencing on 1<sup>st</sup> July and ending on 30<sup>th</sup> June.

### 5 STRUCTURE

- 5.1 The Church is an incorporated association governed and managed by its Members under the headship of our Lord Jesus Christ and working with the BUWA and the wider body of our Lord Jesus Christ.
- 5.2 The Church will delegate specific management duties and responsibilities to the Diaconate as designated by this Constitution or designated from time to time by General Resolution consistent with this Constitution and the Diaconate has the power to manage the delegated affairs of the Church and constitutes the management committee of the Church for the purposes of the Act.
- 5.3 The Church will delegate specific management duties and responsibilities to the Senior Pastor and other employed staff as designated by this Constitution or designated from time to time by General Resolution consistent with this Constitution.
- 5.4 The Eldership Board and the Eldership are appointed by the Church for spiritual oversight of the Church. Additionally, the Church will delegate specific governance duties and responsibilities to the Eldership and Eldership Board as designated by this Constitution or designated from time to time by General Resolution consistent with this Constitution.

### 6 POWERS

The powers conferred on the Church are the same as those conferred by the Act, so that subject to the Act and any additions, exclusions or modifications inserted below, the Church may do all things necessary or convenient for carrying out its objects and purposes, and in particular may -

- g. acquire, hold, deal with, and dispose of any real or personal property;
- h. open and operate bank accounts;
- i. invest its money in any security in which trust monies may lawfully be invested;

- j. borrow money upon such terms and conditions as the Church thinks fit;
- k. give such security for the discharge of liabilities incurred by the Church as the Church thinks fit;
- l. appoint agents to transact any business of the Church on its behalf;
- m. enter into any other contract it considers necessary or desirable; and
- n. may act as trustee and accept and hold real and personal property upon trust but does not have power to do any act or thing as a trustee that, if done otherwise than as a trustee, would contravene this Act or the rules of the Church.

## **7 STATEMENT OF FAITH**

We believe:

- o. That the whole of the Scriptures of the Old and New Testaments as originally given, are the verbally inspired Word of God, supreme in authority and completely free from error.
- p. In one true God: The Father, the Son, and the Holy Spirit, these being the same in substance and equal in power and glory.
- q. In the Deity and perfect humanity of our Lord Jesus Christ who was conceived by the Holy Spirit and born of the Virgin Mary, His substitutionary death, His bodily resurrection and ascension, and His unchanging office as High Priest.
- r. In the personal nature of the Devil and his desire to draw people away from God.
- s. In the fallen, sinful and lost state of all people.
- t. In God's provision of full salvation through the shed blood of Jesus Christ from the punishment and power of sin. All who are willing, receive it by repentance towards God and faith in the Lord Jesus Christ.
- u. In the Person and work of the Holy Spirit in the immediate regeneration of believers and in their sanctification.
- v. In the everlasting consciousness of the person, the resurrection of the body, the renewal of the whole creation, the everlasting fellowship and joy of the saved, the everlasting punishment of the lost and the final judgment of all people.
- w. That the Church is God's chosen people and priesthood, the company of all believers born of the Holy Spirit, and formed into one body of which Christ is the Head.
- x. That God created human beings male and female, equally made in the image of God, and that marriage is between a man and a woman, as a type of the union between Christ and His church.
- y. The personal and visible bodily return of Jesus Christ.
- z. That the observance of the two ordinances of the Lord Jesus Christ, namely, Baptism and the Lord's Supper is a Scriptural requirement upon all believers. Baptism is a water rite that symbolises the cleansing from sin and the fellowship of the believer in their Lord's death, burial and resurrection, upon profession of faith in the Lord Jesus Christ. The Lord's Supper is a memorial of the sacrifice of the body and blood of the Lord Jesus Christ until His return.

## **8 OBJECTS**

The purpose of the Church shall be to glorify God by:

- a. In every possible way, seeking to make disciples of Jesus Christ and bringing them into His church.
- b. Promoting and providing opportunities for people to meet together regularly for worship, prayer, teaching, encouragement and fellowship and to comfort, strengthen, instruct, help, exhort and pray for one another.
- c. Engaging in the task of mission, principally within Australia but also overseas.
- d. Enabling and encouraging Christians to discover, develop and use their gifts for the service of the Lord Jesus Christ in the Church and in the community by ministering to the needs of people.
- e. Providing support, including but not limited to financial support, to those in need, including Members.
- f. Such other activities that are consistent with the foregoing objects.

## **9 CORE COMMITMENTS**

We are committed to:

- a. The Good News that God's Son, Jesus Christ, gave up His life for the sins of the world, and rose from death to rule over everything.
- b. Clear, Christ-centred Bible teaching that calls everyone to trust in Jesus Christ alone as Saviour and obeying Him as Lord.
- c. Engaging people outside the church with the person and claims of Jesus Christ.
- d. Church activity which is welcoming and understandable to newcomers.
- e. Praying to God our Father, in dependence on His rule over all things, and seeking to pray according to His will.
- f. Displaying the fruit of God's Spirit, setting our minds on what His Spirit desires, and seeking the gifts of the Spirit that are good for building up the church.
- g. Regularly meeting together to encourage one another to worship God in lives of loving, sacrificial service.
- h. Caring well for all age groups within our Church family.
- i. Serving together, generously using the gifts, abilities and resources God has given, for His glory.
- j. Encouraging people to dedicate their lives to Gospel ministry and to supporting Gospel ministry to the ends of the earth.
- k. Working towards easing the burden of the poor and the oppressed in our community and throughout the world.

## **10 MEMBERSHIP**

### **10.1 Members**

- 10.1.1 Members of the Church, excluding Non-Resident Members, all have full voting rights and any other rights conferred on them by this Constitution or approved by General Resolution at a Church Members Meeting.
- 10.1.2 Each Voting Member has one vote for each resolution at a Church Members Meeting.

10.1.3 The Church must always have at least 6 Voting Members with full voting rights.

## 10.2 Eligibility to apply

10.2.1 To be eligible to apply to become a Member, a person must:

10.2.1.1 be a believer in our Lord Jesus Christ;

10.2.1.2 have been baptised by immersion, except for any person who for reasons of physical incapacity cannot be baptised by immersion but is committed to the principle of believers' baptism by immersion and, as a believer, undertakes another form of public declaration of faith;

10.2.1.3 display evidence of Christian growth;

10.2.1.4 abide by this Constitution;

10.2.1.5 be at least 18 years of age; and

10.2.1.6 have regularly attended Services at the Church for at least 3 months immediately prior to making an application to become a Member;

## 10.3 Standard of Church Membership

10.3.1 To live a life in conformity with the Scriptures.

10.3.2 To be committed to growing spiritually.

10.3.3 To attend the Services regularly.

10.3.4 To seek to grow the church and God's Kingdom.

10.3.5 To engage in some form of active service for Christ through the church according to our God-given talents.

10.3.6 To share in the governance of the church by regular attendance at the Church Members Meetings.

10.3.7 To support the work of the church prayerfully and financially.

10.3.8 To seek to protect the health and unity of the church.

10.3.9 To keep confidential matters within the church membership.

## 10.4 Membership Application

10.4.1 Application to become a Member shall be by request to an Elder and at such time the Applicant Member is to be provided with a copy of this Constitution.

10.4.2 The Eldership Board will appoint a Member or Members to interview the Applicant Member and provide the Eldership Board with a brief written report recommending that the Applicant Member be presented to the Church for acceptance as a Member or recommending that the Applicant Member not be presented to the Church for acceptance as a Member:

10.4.2.1 If it is recommended that the Applicant Member be presented to the Church for acceptance as a Member and the Eldership Board agrees with that recommendation, then that recommendation will be presented as a motion to be voted on as a General Resolution at a Church Members Meeting.

10.4.2.2 If it is recommended that the Applicant Member be presented to the Church for acceptance as a Member, but the Eldership Board disagrees with that recommendation, then the Eldership Board will communicate that to the Applicant

Member.

- 10.4.2.3 If it is recommended that the Applicant Member not be presented to the Church for acceptance as a Member, then the Eldership Board will communicate that to the Applicant Member.
- 10.4.3 An Applicant Member becomes a Member when the motion to accept that Applicant Member as a Member is passed as a General Resolution at a Church Members Meeting.
- 10.4.4 Throughout this procedure the aims shall be to ensure that the Applicant Member:
  - 10.4.4.1 meets the eligibility requirements set out in rule [10.2]; and
  - 10.4.4.2 accepts the Standard of Church Membership in rule [10.3] and the Membership Covenant.

## 10.5 Cessation as a Member

- 10.5.1 A Member ceases to be a Member upon the occurrence of any of the following events:
  - 10.5.1.1 The death of the Member.
  - 10.5.1.2 Transfer or resignation of the Member by a Notice to Office Bearer from the Member to the Diaconate Chair. Such transfer or resignation will take effect when the Diaconate notifies the Eldership Board of such transfer or resignation.
  - 10.5.1.3 Removal of the Member from the Membership Register upon the Eldership Board:
    - a. determining that that Member has failed to attend Services for 6 months or more; and
    - b. deciding to remove the Member from the Membership Register;and the Eldership Board Chair shall notify that removed Member by sending Notice of that Member's removal from the Membership Register to that removed Member.
  - 10.5.1.4 Removal of the Member from the Membership Register pursuant to rule [11];

## 10.6 Non-Resident Members

- 10.6.1 A Non-Resident Member is a Member who does not have any voting rights.
- 10.6.2 A Member becomes a Non-Resident Member upon the occurrence of any of the following events:
  - 10.6.2.1 The Member applies to the Eldership Board to become a Non-Resident Member and the Eldership Board accepts that application.
  - 10.6.2.2 The Eldership Board;
    - a. determines that that Member, because of geographic location or physical infirmity, is unable to regularly attend Services; and
    - b. decides to classify that Member as a Non-Resident Member;and the Eldership Board Chair shall notify that classified Non-Resident Member by sending Notice of that Non-Resident Member's classification to that Non-Resident Member.
- 10.6.3 Acceptance and adherence to the Standard of Church Membership in rule [10.3] and the Membership Covenant are only applicable to a Non-Resident Member to the extent that that Non-Resident Member is able to comply with the same having regard to the geographic location or physical infirmity of that Non-Resident Member as determined by the Eldership Board pursuant to rule [10.6.2.2.a].



10.6.4 A Non-Resident Member becomes a Voting Member upon:

10.6.4.1 the application of that Non-Resident Member to the Eldership Board to become a Voting Member and the Eldership Board acceptance of that application; or

10.6.4.2 that Non-Resident Member attending a Church Members Meeting and a General Resolution at that Church Members Meeting being passed that that Non-Resident Member becomes a Voting Member for the purpose only of that Church Members Meeting but returns to being a Non-Resident Member immediately following that Church Members Meeting.

## 10.7 Voting Member

10.7.1 Any Member who is not a Non-Resident Member is a Voting Member.

10.7.2 A Voting Member has full voting rights.

## 10.8 Membership Register

10.8.1 The Diaconate must appoint and authorise a person to maintain the Membership Register and that appointed and authorised person is responsible to maintain the Membership Register and record in that Membership Register any change in the membership of the Church.

10.8.2 The Membership Register must include:

10.8.2.1 the name of each Member, showing whether that Member is a Voting Member or a Non-Resident Member;

10.8.2.2 a residential, postal, email or other Diaconate approved electronic address for each Member;

10.8.2.3 the date on which each Member becomes a Voting Member or Non-Resident Member;

10.8.2.4 when a Member ceases to be a Member; and

10.8.2.5 the details of any suspension of a Member.

10.8.3 The Membership Register must be kept at the Church or at another place determined by the Diaconate

## 10.9 Fees

Members are not required to pay any membership fees or subscription to the Church.

# 11 MEMBERSHIP DISCIPLINARY ACTION AND DISPUTES

## 11.1 Suspension or removal from membership

11.1.1 The Eldership Board may move a motion at a General Meeting or Special General Meeting for the suspension of a Member's membership or removal of a Member's membership of the Church by removal from the Membership Register if the Member:

11.1.1.1 contravenes any of the rules of this Constitution; or

11.1.1.2 acts detrimentally to the interests of the Church; or

11.1.1.3 by his or her conduct or lifestyle fails to reflect values consistent with their profession of faith.

11.1.2 The Eldership Board Chair must give the Member Notice of the proposed suspension or

removal at least 28 days before the General Meeting or Special General Meeting at which the motion is to be voted on.

11.1.3 The notice given to the Member must state:

11.1.3.1 when and where the General Meeting or Special General Meeting is to be held; and

11.1.3.2 the grounds on which the proposed suspension or removal is based; and

11.1.3.3 that the Member is encouraged to attend the General Meeting or Special General Meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions at the General Meeting or Special General Meeting about the proposed suspension or removal.

11.1.4 At the General Meeting or Special General Meeting, the other Members present must:

11.1.4.1 give the Member a reasonable opportunity to make written or oral (or both written and oral) submissions at the General Meeting or Special General Meeting about the proposed suspension or removal; and

11.1.4.2 give due consideration to any submissions so made; and

11.1.4.3 decide by Special Resolution, for which Special Resolution the Member is ineligible to vote and is not permitted to be present during the discussion or during the voting for that Special Resolution:

a. whether or not to suspend the Member's membership and, if the decision is to suspend the membership, the period of suspension; or

b. whether or not to remove the Member from the Membership Register.

11.1.5 A Special Resolution to suspend the Member's membership or to remove the Member from the Membership Register takes immediate effect upon that Special Resolution being passed.

11.1.6 The Eldership Board Chair must give the suspended or removed Member Notice of the Church's decision, and the reasons for the decision, within 7 days after the General Meeting or Special General Meeting at which the decision is made.

11.1.7 A Member whose membership is suspended or who is removed from the Membership Register may, within 14 days after receiving notice of the Eldership Board's decision under [11.1.6], give a Notice to Office Bearer to the Eldership Board Chair requesting the matter be referred to the BUWA for re-consideration.

11.1.8 In any matter being considered under this rule, the privacy of the individual(s), the good name of the Church, and the ministry of the Church, as followers of Jesus Christ, shall be given appropriate consideration.

## 11.2 Consequences of suspension

11.2.1 During the period a Member's membership is suspended, the Member loses any rights (including voting rights) arising as a result of membership.

11.2.2 When a Member's membership is suspended, the person appointed by the Diaconate to maintain the Membership Register must record in the Membership Register:

11.2.2.1 that the Member's membership is suspended; and

11.2.2.2 the date on which the suspension takes effect; and

11.2.2.3 the period of the suspension.

11.2.3 When the period of the suspension ends, the person appointed by the Diaconate to maintain

the Membership Register must record in the Membership Register that the Member's membership is no longer suspended.

### 11.3 Disputes

11.3.1 Disputes may arise under these rules:

11.3.1.1 between Members (or former Members); or

11.3.1.2 between one or more Members and the Church

The principles of the words of the Lord, as set out in Matthew 18:15-17 shall be followed.

11.3.2 The parties to a dispute must meet and discuss the matter in dispute and attempt to resolve the dispute between themselves within 14 days after the dispute has come to the attention of each party.

11.3.3 If the parties are unable to resolve the dispute any party may take a witness to a meeting with the other party to attempt to resolve the dispute.

11.3.4 If the parties are still unable to resolve the dispute between themselves, any party to the dispute may take the matter to the Eldership Board (as the representatives of the Church) by giving a Notice to Office Bearer to the Eldership Board Chair of:

11.3.4.1 the parties to the dispute; and

11.3.4.2 the matters that are the subject of the dispute.

11.3.5 Within 28 days after the Eldership Board Chair is given the notice, an Eldership Board Meeting must be convened to consider and determine the dispute.

11.3.6 The Eldership Board Chair must give each party to the dispute Notice of the Eldership Board Meeting at which the dispute is to be considered and determined at least 7 days before the meeting is held.

11.3.7 The notice given to each party to the dispute shall state:

11.3.7.1 when and where the Eldership Board Meeting is to be held; and

11.3.7.2 that the party is encouraged to attend the Eldership Board Meeting and will be given a reasonable opportunity to make written or oral (or both) submissions to the Eldership Board about the dispute.

11.3.8 If

11.3.8.1 the dispute is between one or more Members and the Church; and

11.3.8.2 any party to the dispute gives a Notice to Office Bearer to the Eldership Board Chair stating that the party does not agree to the dispute being determined by the Eldership Board;

the Eldership Board must not determine the dispute and should refer to the matter to BUWA.

### 11.4 Determination of dispute by Eldership Board

11.4.1 At the Eldership Board Meeting at which a dispute is to be considered and determined, the Eldership Board must, subject to rule [11.3.7]:

11.4.1.1 give each party to the dispute a reasonable opportunity to make written or oral (or both) submissions to the Eldership Board about the dispute; and

11.4.1.2 give due consideration to any submissions so made; and

- 11.4.1.3 determine the dispute.
- 11.4.2 The Eldership Board must give each party to the dispute Notice of the Eldership Board's determination, and the reasons for the determination, within 7 days after the Eldership Board Meeting at which the determination is made.
- 11.4.3 A party to the dispute may, within 14 days after receiving notice of the Eldership Board's determination under rule [11.4.2], give a Notice to Office Bearer to the Eldership Board Chair requesting the matter be referred to the BUWA Appeals Board for a decision. Such a decision will be binding on the parties to the dispute.

## **12 SENIOR PASTOR**

12.1 The Church shall appoint a Senior Pastor.

12.2 The Senior Pastor must:

- 12.2.1 be eligible to be a Member of the Church pursuant to rule [10.2], other than the requirement for regular attendance at rule [10.2.1.6];
- 12.2.2 be eligible to accept an appointment and act as a Responsible Officer under the Act; and
- 12.2.3 meet the New Testament elder requirements.

### **12.3 Senior Pastor Responsibilities**

12.3.1 The Senior Pastor shall:

- 12.3.1.1 be a member of and accountable to the Eldership Board under the authority delegated by the Church;
- 12.3.1.2 be a member of the Eldership and the Diaconate;
- 12.3.1.3 be a member and the leader of the Pastoral Team;
- 12.3.1.4 manage the preaching and teaching program;
- 12.3.1.5 be entrusted with the oversight of the Staff Team and Ministry Leaders;
- 12.3.1.6 ensure an annual ministry plan is produced for the Church and shall be accountable to the Eldership Board for the agreed outcomes in the annual ministry plan.

### **12.4 Senior Pastor – Appointment**

- 12.4.1 A Pastoral Search Team shall be appointed by the Eldership.
- 12.4.2 The Pastoral Search Team shall bring a recommendation to the Eldership, who shall bring one nomination ("the Proposed Senior Pastor") to a Special General Meeting called for that purpose.
- 12.4.3 An invitation to a Proposed Senior Pastor must include the length and terms of the call and be by a Special Resolution passed at the Special General Meeting called for that purpose and if that Special Resolution is passed then the terms of the call shall form the basis of the Church-Senior Pastor Agreement.
- 12.4.4 A Proposed Senior Pastor becomes the Senior Pastor and a Member, if not already a Member, on the date specified in the Church-Senior Pastor Agreement.
- 12.4.5 If married and if qualified to be a Member of the Church pursuant to rule [10.2], other than the

requirement for regular attendance at rule [10.2.1.6], the spouse of the Proposed Senior Pastor becomes a Member if not already a Member, on the same date that the Proposed Senior Pastor becomes a Member, if the spouse consents to becoming a member.

## **12.5 Cessation, Termination and suspension of the Senior Pastor**

- 12.5.1 The appointment of the Senior Pastor will cease at the end of any term specified for that appointment in the Church - Senior Pastor Agreement.
- 12.5.2 The appointment of a Senior Pastor may be terminated and/or suspended upon the occurrence of any of the following events:
  - 12.5.2.1 terminated by three months' notice by the Senior Pastor unless another period of notice is mutually agreed upon by the Senior Pastor and the Eldership.
  - 12.5.2.2 terminated by a Special Resolution to terminate the appointment of the Senior Pastor at a Special General Meeting called for that purpose and such termination will be effective immediately upon the passing of that Special Resolution unless a period of notice is specified as part of that Special Resolution in which case such termination will be effective upon the expiration of that period of notice.
  - 12.5.2.3 immediately suspended, as decided by the Eldership, excluding the Senior Pastor, determining that there are reasonable grounds to consider that the Senior Pastor has engaged in serious misconduct and the Eldership, excluding the Senior Pastor, deciding to suspend the Senior Pastor on that basis.
- 12.5.3 If the Eldership receives a complaint alleging that the Senior Pastor has engaged in serious misconduct then, in addition to any action to terminate and/or suspend the Senior Pastor that complaint must be referred to BUWA for investigation and further appropriate action and, if appropriate, also referred to the WA Police.
- 12.5.4 The Senior Pastor will be treated with fairness in accordance with the relevant Acts of Federal and State Parliament. The relationship of Senior Pastor with the Church is one of employment in Christian service and biblical relationship principles are to be followed. The Senior Pastor and the Church shall abide by the Church-Senior Pastor Agreement conditions.
- 12.5.5 Any dispute or difference arising out of the termination of a Senior Pastor appointment must be referred to an independent party for resolution by way of mediation or such alternative dispute resolution process that is agreed as being appropriate. In the event it is not possible to reach agreement as to the identity of the independent party, a senior staff member of the BUWA shall appoint such an independent person.

## **13 ASSOCIATE PASTORS**

13.1 The Church may have one or more Associate Pastor(s).

13.2 An Associate Pastor must:

- 13.2.1 be eligible to be a Member of the Church pursuant to rule [10.2], other than the requirement for regular attendance at rule [10.2.1.6]; and
- 13.2.2 meet the New Testament elder requirements.

### **13.3 Associate Pastor Responsibilities**

13.3.1 An Associate Pastor shall:

- 13.3.1.1 be accountable to the Senior Pastor;
- 13.3.1.2 be entrusted with the responsibilities set out in the Church-Associate Pastor Agreement applicable to that Associate Pastor.

## **13.4 Associate Pastor – Appointment**

- 13.4.1 The Eldership may present a recommendation and motion to the Church at a General Meeting or a Special General Meeting for the proposed in principle appointment of an Associate Pastor. If that motion is passed by General Resolution, then a Pastoral Search Team shall be appointed by the Eldership.
- 13.4.2 The Pastoral Search Team shall bring a recommendation to the Eldership, who shall bring one nomination (“the Proposed Associate Pastor”) to a Special General Meeting called for that purpose.
- 13.4.3 An invitation to a Proposed Associate Pastor must include the terms of the call and be by a Special Resolution passed at the Special General Meeting called for that purpose and if that Special Resolution is passed then the terms of the call shall form the basis of the Church-Associate Pastor Agreement.
- 13.4.4 A Proposed Associate Pastor becomes an Associate Pastor and a Member, if not already a Member, on the date specified in the Church- Associate Pastor Agreement.
- 13.4.5 If married and if qualified to be a Member of the Church pursuant to rule [10.2], other than the requirement for regular attendance at rule [10.2.1.6], the spouse of the Proposed Associate Pastor becomes a Member if not already a Member, on the same date that the Proposed Associate Pastor becomes a Member, if the spouse consents to becoming a member.

## **13.5 Cessation, termination and Suspension of the Appointment of an Associate Pastor**

- 13.5.1 The appointment of the Associate Pastor will cease at the end of any term specified for that appointment in the Church- Associate Pastor Agreement.
- 13.5.2 The appointment of an Associate Pastor may be terminated or suspended in one or more of the following circumstances:
  - 13.5.2.1 terminated by three months’ notice by the Associate Pastor unless another period of notice is mutually agreed upon by the Associate Pastor and the Eldership Board.
  - 13.5.2.2 terminated by a Special Resolution to terminate the appointment of the Associate Pastor at a Special General Meeting called for that purpose and such termination will be effective immediately upon the passing of that Special Resolution unless a period of notice is specified as part of that Special Resolution in which case such termination will be effective upon the expiration of that period of notice;
  - 13.5.2.3 immediately suspended, as decided by the Eldership, excluding that Associate Pastor, determining that there are reasonable grounds to consider that that Associate Pastor has engaged in serious misconduct and the Eldership, excluding that Associate Pastor, deciding to suspend that Associate Pastor on that basis.
- 13.5.3 If the Eldership receives a complaint alleging that an Associate Pastor has engaged in serious misconduct then, in addition to any action to terminate and/or suspend that Associate Pastor that complaint must be referred to BUWA for investigation and further appropriate action and, if appropriate, also referred to the WA Police.
- 13.5.4 An Associate Pastor will be treated with fairness in accordance with the relevant Acts of Federal and State Parliament. The relationship of Associate Pastor with the Church is one of employment in Christian service and biblical relationship principles should be followed. An Associate Pastor and the Church shall abide by the Church-Associate Pastor Agreement conditions.
- 13.5.5 Any dispute or difference arising out of the termination of an Associate Pastor appointment must be referred to an independent party for resolution by way of mediation or such alternative dispute resolution process that is agreed as being appropriate. In the event it is not possible to reach agreement as to the identity of the independent party, a senior staff member of the BUWA shall appoint such an independent person.

## **14 NON-STAFF ELDERS**

14.1 The Church shall have a minimum of 3 Non-Staff Elders.

14.2 A Non-Staff Elder must:

14.2.1 be a current Member and have been a Member for no less than 2 years;

14.2.2 not be employed by the Church; and

14.2.3 meet the New Testament elder requirements.

### **14.3 Non-Staff Elder Responsibilities**

14.3.1 A Non-Staff Elder shall;

14.3.1.1 be a member of the Eldership Board and the Eldership;

14.3.1.2 be responsible, together with the Senior Pastor and any Associate Pastors, for the spiritual oversight of the Church, including:

- a. the fostering of spiritual growth through regular visitation and personal example;
- b. the provision of pastoral care in cases of sickness and crises;
- c. encouragement of the Members in worship and ministry;
- d. matters relating to the membership of the Church whether related to an individual Member or the membership as a whole.

### **14.4 Non- Staff Elder – Appointment**

14.4.1 Nominations for a Member (“the Non-Staff Elder Nominee”) to be appointed as a Non-Staff Elder may be made in writing by any Member with the written consent of the Non-Staff Elder Nominee to the Eldership for endorsement by the Eldership.

14.4.2 If the Eldership endorses the nomination of that Non-Staff Elder Nominee then the Eldership shall present that Non-Staff Elder Nominee for appointment by Special Resolution at an Annual General Meeting or a Special General Meeting called for that purpose and the Non-Staff Elder Nominee becomes a Non-Staff Elder from the beginning of the next calendar year unless otherwise specified in the appointment.

14.4.3 The term of appointment for a Non-Staff Elder is two years, at the expiration of which term that Non-Staff Elder may, subject rule [14.4.4] and subject to being otherwise eligible, be renominated for appointment as a Non-Staff Elder.

14.4.4 No Non-Staff Elder may hold office for more than 2 consecutive terms but may be re-nominated after vacating the office of Non-Staff Elder for 12 months.

### **14.5 Cessation, Termination and Suspension of the Appointment of a Non-Staff Elder**

14.5.1 The appointment of the Non-Staff Elder will cease at the end of the 2 year term of appointment.

14.5.2 The appointment of a Non-Staff Elder may be terminated or suspended in one or more of the following circumstances:

14.5.2.1 terminated by three months’ notice by either the Non-Staff Elder or the Eldership, excluding that Non-Staff Elder, to the other, unless another period of notice is mutually agreed upon by the Non-Staff Elder and the Eldership, excluding that Non-Staff Elder;

14.5.2.2 terminated by a Special Resolution to terminate the appointment of the Non-Staff Elder at a Special General Meeting called for that purpose and such termination will be effective immediately upon the passing of that Special Resolution unless a

period of notice is specified as part of that Special Resolution in which case such termination will be effective upon the expiration of that period of notice.

- 14.5.2.3 immediately suspended, as decided by the Eldership, excluding that Non-Staff Elder, determining that there are reasonable grounds to consider that that Non-Staff Elder has engaged in serious misconduct and the Eldership, excluding that Non-Staff Elder, deciding to suspend that Non-Staff Elder on that basis.
- 14.5.3 If the Eldership receives a complaint alleging that a Non-Staff Elder has engaged in serious misconduct then, in addition to any action to terminate and/or suspend that Non-Staff Elder that complaint must be referred to BUWA for investigation and further appropriate action and, if appropriate, also referred to the WA Police.
- 14.5.4 The Church will ensure that a Non-Staff Elder is treated with fairness.
- 14.5.5 Any dispute or difference arising out of the termination of a Non-Staff Elder appointment must be referred to an independent party for resolution by way of mediation or such alternative dispute resolution process that is agreed as being appropriate. In the event it is not possible to reach agreement as to the identity of the independent party, a senior staff member of the BUWA shall appoint such an independent person.

## **15 DEACONS**

15.1 The Church shall have a minimum of 4 Deacons, including the Treasurer who is also a Deacon.

15.2 A Deacon must:

- 15.2.1 be a current Member and have been a Member for no less than 6 months;
- 15.2.2 be eligible to accept an appointment and act as a Responsible Officer under the Act; and
- 15.2.3 meet the New Testament requirements for a deacon.

### **15.3 Deacon Responsibilities**

15.3.1 A Deacon shall;

- 15.3.1.1 be a member of the Diaconate; and
- 15.3.1.2 be responsible for the management of the Church.

### **15.4 Deacon (other than Treasurer) – Appointment**

- 15.4.1 Nominations for a Member (“the Deacon Nominee”) to be appointed as a Deacon may be made in writing by any Member with the written consent of the Deacon Nominee to the Diaconate for endorsement by the Diaconate.
- 15.4.2 If the Diaconate endorses the nomination of that Deacon Nominee then the Diaconate shall present that Deacon Nominee for appointment by Special Resolution at an Annual General Meeting or a Special General Meeting called for that purpose and the Deacon Nominee becomes a Deacon from the beginning of the next calendar year unless otherwise specified in the appointment.
- 15.4.3 The term of appointment for a Deacon is one year, at the expiration of which term that Deacon may, subject to being otherwise eligible, be renominated for appointment as a Deacon.

### **15.5 Treasurer**

- 15.5.1 The Church shall have a Treasurer who, upon appointment as Treasurer is also a Deacon.
- 15.5.2 Treasurer Responsibilities:



- 15.5.2.1 In addition to the Deacon responsibilities set out in rule [15.3], a Treasurer shall be responsible for:
- a. ensuring that any amounts received by the Church, are deposited promptly, to the credit of the appropriate (bank) account of the Church;
  - b. ensuring that any payments to be made by the Church that have been authorised by the Diaconate or at a General Meeting are made on time;
  - c. ensuring the safe custody of the Church's Financial Records, Financial Statements or Financial Reports of the Church;
  - d. Coordinating the preparation of the Church's Financial Statements or Financial Reports before their submission to the Church's Annual General Meeting as required in rule [25.2];
  - e. providing any assistance required by an auditor or reviewer conducting an audit or review of the Church's Financial Statements or Financial Report under Part 5 of the Act;
  - f. carrying out any other duty given to the Treasurer under these rules or by the Diaconate.

15.5.3 Treasurer – Appointment:

15.5.3.1 Nominations for a Member (“the Treasurer Nominee”) to be appointed as a Treasurer may be made in writing by any Member with the written consent of the Treasurer Nominee to the Diaconate for endorsement by the Diaconate.

15.5.3.2 If the Diaconate endorses the nomination of that Treasurer Nominee then the Diaconate shall present that Treasurer Nominee for appointment by Special Resolution at an Annual General Meeting or a Special General Meeting called for that purpose and the Treasurer Nominee becomes the Treasurer from the beginning of the next calendar year unless otherwise specified in the appointment.

15.5.3.3 The term of appointment for a Treasurer is one year, at the expiration of which term that Treasurer may, subject to being otherwise eligible, be renominated for appointment as Treasurer.

**15.6 Cessation, Termination and Suspension of the Appointment of a Deacon, including the Treasurer**

15.6.1 The appointment of the Deacon will cease at the end of the one year term of appointment.

15.6.2 The appointment of a Deacon may be terminated or suspended in one or more of the following circumstances:

15.6.2.1 terminated by 3 months' notice by the Deacon, unless another period of notice is mutually agreed upon by the Deacon and the Eldership Board;

15.6.2.2 terminated by a Special Resolution to terminate the appointment of the Deacon at a Special General Meeting called for that purpose and such termination will be effective immediately upon the passing of that Special Resolution unless a period of notice is specified as part of that Special Resolution in which case such termination will be effective upon the expiration of that period of notice.

15.6.2.3 immediately terminated upon the Deacon becoming ineligible to accept an appointment and act as a Responsible Officer under the Act.

15.6.2.4 immediately suspended, as decided by the Eldership determining that there are reasonable grounds to consider that that Deacon has engaged in serious misconduct and the Eldership deciding to suspend that Deacon on that basis.

15.6.3 If the Eldership receives a complaint alleging that a Deacon has engaged in serious misconduct then, in addition to any action to terminate and/or suspend that Deacon that complaint must be referred to BUWA for investigation and further appropriate action and, if appropriate, also referred

to the WA Police.

15.6.4 The Church will ensure that a Deacon is treated with fairness.

15.6.5 Any dispute or difference arising out of the termination of a Deacon appointment must be referred to an independent party for resolution by way of mediation or such alternative dispute resolution process that is agreed as being appropriate. In the event it is not possible to reach agreement as to the identity of the independent party, a senior staff member of the BUWA shall appoint such an independent person.

## **16 OFFICE BEARERS**

16.1 The Office Bearers of the Church are:

16.1.1 the Senior Pastor;

16.1.2 all Associate Pastors;

16.1.3 all Non-Staff Elders; and

16.1.4 all Deacons.

16.2 The Diaconate must appoint and authorise a person to maintain the Register of Office Bearers and that appointed and authorised person is responsible to maintain the Register of Office Bearers and record in that Register of Office Bearers any change in the Office Bearers of the Church.

16.3 The Register of Office Bearers must include:

16.3.1 the name of each Office Bearer;

16.3.2 a residential, postal or email or other Diaconate approved electronic address for each Office Bearer;

16.3.3 the date on which each Office Bearer was appointed; and

16.3.4 the date on which each Office Bearer ceases to be an Office Bearer.

16.4 The Register of Office Bearers that is required to be maintained under the Act must be kept in the custody or under the control of the person appointed by the Diaconate to maintain the Register of Office Bearers.

16.5 An Office Bearer is not liable in respect of the liabilities of the Church.

## **17 ELDERSHIP BOARD**

### **17.1 Eldership Board Composition**

17.1.1 The Eldership Board shall comprise:

17.1.1.1 the Senior Pastor; and

17.1.1.2 all Non-Staff Elders;

("Eldership Board Members").

17.1.2 A person ceases to be an Eldership Board Member if the person:

17.1.2.1 ceases to be the Senior Pastor or a Non-Staff Elder; or

- 17.1.2.2 fails to attend 3 consecutive Eldership Board Meetings, of which the person has been given notice, without having notified the Eldership Board that the person will be unable to attend.

## **17.2 Eldership Board Responsibilities**

- 17.2.1 The Eldership Board are responsible for:
  - 17.2.1.1 along with the full Eldership, spiritual oversight of the Church, especially matters relating to Church discipline and spiritually significant areas of church administration and membership;
  - 17.2.1.2 governance and spiritual direction of the Church;
  - 17.2.1.3 recommending to the Church the acceptance, removal, re-classification or suspension of Members, as provided in rules [10.4], [10.5], [10.6] and [11.1];
  - 17.2.1.4 assisting and encouraging the Senior Pastor in his staff leadership role;
  - 17.2.1.5 keeping the Senior Pastor accountable to the annual ministry plan and in personal godliness;
  - 17.2.1.6 presenting the annual ministry plan to the Church for approval;
  - 17.2.1.7 resolution of disputes between Members as provided in rules [11.3] and [11.4];
  - 17.2.1.8 appoint interns, trainees and ministry related Staff, who are not a Pastor, in accordance with the budget and/or designated funds; and
  - 17.2.1.9 any other duties as designated from time to time by General Resolution of the Church consistent with this Constitution.

## **17.3 Eldership Board Chair**

- 17.3.1 The Eldership Board Chair shall be a Non-Staff Elder appointed by the Eldership as Eldership Board Chair for a period of up to one year, after which the appointment may be renewed.
- 17.3.2 The Eldership Board Chair has the powers and duties relating to convening and presiding at Eldership Board Meetings.
- 17.3.3 The Eldership Board Chair, in consultation with the Senior Pastor, sets the agenda for Eldership Board Meetings and produces the briefing notes for Eldership Board Meetings.
- 17.3.4 The Eldership Board Chair shall ensure that minutes are taken and kept of each Eldership Board Meeting including the following:
  - 17.3.4.1 the names of the Eldership Board Members present at the Eldership Board Meeting;
  - 17.3.4.2 the business considered at the Eldership Board Meeting;
  - 17.3.4.3 any motion on which a vote is taken at the Eldership Board Meeting and the result of the vote;
  - 17.3.4.4 any disclosure of an Eldership Board Member's material personal interest.

the minutes shall be entered into the minute book and distributed to Eldership Board Members within 7 days after the Eldership Board Meeting is held.

- 17.3.5 The Eldership Board Chair shall ensure that the minutes of an Eldership Board Meeting are reviewed and signed as correct by the chair of the meeting or the chair of the next Eldership Board Meeting.

- 17.3.6 When the minutes of an Eldership Board Meeting have been signed as correct they are, until the contrary is proved, evidence that:
  - 17.3.6.1 the Eldership Board Meeting to which the minutes relate was duly convened and held; and
  - 17.3.6.2 the matters recorded as having taken place at the Eldership Board Meeting took place as recorded; and
  - 17.3.6.3 any appointment purportedly made at the Eldership Board Meeting was validly made.

## 17.4 Eldership Board Meetings

- 17.4.1 Eldership Board Meetings may be conducted:
  - 17.4.1.1 in person (“In Person Eldership Board Meetings”); or
  - 17.4.1.2 by electronic communication (“Virtual Eldership Board Meetings”).
- 17.4.2 The Eldership Board shall meet at least 5 times each year at In Person Eldership Board Meetings on the dates and at the times and places determined by the Eldership Board.
- 17.4.3 In Person Eldership Board Meetings additional to the In Person Eldership Board Meetings required pursuant to rule [17.4.2] may be convened by the Eldership Board Chair, the Senior Pastor, or any 2 Eldership Board Members.
- 17.4.4 Virtual Eldership Board Meetings additional to the In Person Eldership Board Meetings required pursuant to rule [17.4.2] may be convened by the Eldership Board Chair or the Senior Pastor (“the Virtual Convener”).
- 17.4.5 Eldership Board Meetings shall not be conducted without the Senior Pastor’s consent, except where disciplinary or performance matters concerning the Senior Pastor are to be considered or the Eldership Board is undertaking a review of the Senior Pastor.
- 17.4.6 The Eldership Board shall not meet without the Eldership Board Chair’s consent, except where disciplinary or performance matters concerning the Eldership Board Chair are to be considered or the Eldership Board is undertaking a review of the Eldership Board Chair.
- 17.4.7 Virtual Eldership Board meetings shall not be convened to consider disciplinary or performance matters concerning the Senior Pastor and/or the Eldership Board Chair or to undertake a review of the Senior Pastor and/or the Eldership Board Chair.
- 17.4.8 No business is to be conducted at an Eldership Board Meeting unless a quorum is present.
- 17.4.9 Each Eldership Board Member has a vote. A question arising at an Eldership Board Meeting must be decided by a majority of votes.
- 17.4.10 In Person Eldership Meetings
  - 17.4.10.1 At an In Person Eldership Board Meeting, 50% of the Eldership Board Members will constitute a quorum.
  - 17.4.10.2 Notice of each In Person Eldership Board Meeting must be given to each Eldership Board Member at least 24 hours before the time of the In Person Eldership Board Meeting. The notice shall advise the date, time, and place of the In Person Eldership Board Meeting and shall describe the general nature of the business to be conducted at the In Person Eldership Board Meeting.
  - 17.4.10.3 Urgent business that has not been described in the notice may be conducted at the In Person Eldership Board Meeting if the Eldership Board Members at the In Person Eldership Board Meeting unanimously agree to treat that business as urgent.

- 17.4.10.4 If the Eldership Board Chair is absent or unwilling to act as Eldership Board Chair of an In Person Eldership Board Meeting, the Eldership Board Members at the In Person Eldership Board Meeting shall choose another member of the Eldership Board to act as Eldership Board Chair of that In Person Eldership Board Meeting.
- 17.4.10.5 The procedure to be followed at an In Person Eldership Board Meeting shall be determined from time to time by the Eldership Board.
- 17.4.10.6 The order of business at an In Person Eldership Board Meeting may be determined by the Eldership Board Members at the In Person Eldership Board Meeting.
- 17.4.10.7 If a member of the Eldership Board is unable to attend an In Person Eldership Board Meeting in person, the presence of that Eldership Board Member at an In Person Eldership Board Meeting may be by that Eldership Board Member and each other Eldership Board Member at the In Person Eldership Board Meeting being simultaneously in contact by telephone or other means of instantaneous communication. An Eldership Board Member who participates in an In Person Eldership Board Meeting by such communication is taken to be present at the In Person Eldership Board Meeting and, if the Eldership Board Member votes at the In Person Eldership Board Meeting, the Eldership Board Member is taken to have voted in person.

#### 17.4.11 Virtual Eldership Board Meetings

- 17.4.11.1 For a Virtual Eldership Board Meeting, 75% of the Eldership Board Members will constitute a quorum.
- 17.4.11.2 Notice of each Virtual Eldership Board Meeting must be sent by the Virtual Convener to each of the other Eldership Board Members by electronic communication of briefing notes addressing a single item of Eldership Board business, with an invitation for each Eldership Board Member to respond to that single item of Eldership Board business by electronic communication to all other Eldership Board Members within 48 hours (“the Virtual Eldership Board Notice”).
- 17.4.11.3 Eldership Board Members who respond to the Virtual Eldership Board Notice within 48 hours are taken to be present at that Virtual Eldership Board Meeting.
- 17.4.11.4 Eldership Board Members may vote at the Virtual Eldership Board Meeting by electronic communication to all other Eldership Board Members.
- 17.4.11.5 If any Eldership Board Member objects within 48 hours of the Virtual Eldership Board Notice to the single item of Eldership Board business in the Virtual Eldership Board Notice being dealt with at a Virtual Eldership Board Meeting then that single item of Eldership Board business in the Virtual Eldership Board Notice may not be dealt with at a Virtual Eldership Board Meeting.

- 17.4.12 The acts of the Eldership Board, or of an Eldership Board Member, or of persons appointed by the Eldership Board, are valid despite any defect that may afterwards be discovered in the election, appointment or qualification of an Eldership Board Member or person appointed by the Eldership Board.

### 17.5 Material Personal Interest

- 17.5.1 Any Eldership Board Member who has a material personal interest in a matter being considered at an Eldership Board Meeting must, as soon as he becomes aware of that interest, disclose the nature and extent of his interest to the Eldership Board; and disclose the nature and extent of the interest at the next General Meeting of the Church. This rule does not apply in respect of a material personal interest:
- 17.5.1.1 that exists only because the Eldership Board Member is an employee of the Church; or

- 17.5.1.2 that the Eldership Board Member has in common with all, or a substantial proportion of, the Members of the Church.
- 17.5.2 An Eldership Board Member who has a material personal interest in a matter being considered at an Eldership Board Meeting shall not be present while the matter is being considered at that Eldership Board Meeting or vote on the matter.
- 17.5.3 Every disclosure made by an Eldership Board Member of a material personal interest must be recorded in the minutes of the Eldership Board Meeting at which the disclosure was made.

## **18 ELDERSHIP**

### **18.1 Eldership Composition**

- 18.1.1 The Eldership shall comprise:
  - 18.1.1.1 the Senior Pastor;
  - 18.1.1.2 all Non-Staff Elders; and
  - 18.1.1.3 all Associate Pastors engaged by the Church to serve on the Eldership; (“the Elders”).
- 18.1.2 A person ceases to be an Elder if the person:
  - 18.1.2.1 dies;
  - 18.1.2.2 ceases to be the Senior Pastor, a Non-Staff Elder or an Associate Pastor engaged by the Church to serve on the Eldership; or
  - 18.1.2.3 resigns from the Eldership; or
  - 18.1.2.4 fails to attend 3 consecutive Eldership Meetings, of which the person has been given notice, without having notified the Eldership that the person will be unable to attend.

### **18.2 Eldership Responsibilities**

- 18.2.1 The Eldership is responsible for:
  - 18.2.1.1 nomination and appointment of the Eldership Board Chair;
  - 18.2.1.2 adoption and management of ministry policy;
  - 18.2.1.3 along with the Eldership Board, spiritual oversight of the Church, especially matters related to doctrine consistent with the Statement of Faith in rule [7], maintaining church health and the conduct of worship;
  - 18.2.1.4 ministry development;
  - 18.2.1.5 refining of annual ministry plans;
  - 18.2.1.6 oversight of implementation of annual ministry plans;
  - 18.2.1.7 managing the nomination of Non-Staff Elders;
  - 18.2.1.8 managing appointments to the Diaconate;
  - 18.2.1.9 recommending to the Church the appointment of the Senior Pastor, Associate Pastors, Non-Staff Elders and Deacons, as provided in rules [12.4.2], [13.4.2],

[14.4.2], [15.4.2] and [15.5.3];

18.2.1.10 recommending to the Church the in-principle appointment of an Associate Pastor, as provided in rule [13.4.1];

18.2.1.11 recommending to the Church the termination of the Senior Pastor, Associate Pastors, Non-Staff Elders and Deacons, as provided in rules [12.5.2.2], [13.5.2.2], [14.5.2.2], [15.6.2.2]; and [24.5.1];

18.2.1.12 the suspension and/or termination of the Senior Pastor, Associate Pastors, Non-Staff Elders and Deacons, as provided in rules [12.5.2.3], [13.5.2.3], [14.5.2.3] and [15.6.2.4]; and

18.2.1.13 reporting complaints regarding serious misconduct of the Senior Pastor, Associate Pastors, Non-Staff Elders and Deacons to BUWA and, if appropriate, to the WA Police as provided in rules [12.5.3], [13.5.3], [14.5.3] and [15.6.3].

### **18.3 Eldership Chair & Senior Pastor**

18.3.1 The Eldership Board Chair is the Eldership Chair and the Eldership Chair has the powers and duties relating to presiding at Eldership Meetings.

18.3.2 The Senior Pastor has the powers and duties relating to convening Eldership Meetings.

18.3.3 The Senior Pastor sets the agenda for Eldership Meetings and produces the briefing notes for Eldership Meetings.

18.3.4 The Eldership Chair shall ensure that minutes are taken and kept of each Eldership Meeting including the following:

18.3.4.1 the names of the Elders present at the Eldership Meeting;

18.3.4.2 the business considered at the Eldership Meeting;

18.3.4.3 any motion on which a vote is taken at the Eldership Meeting and the result of the vote;

18.3.4.4 any disclosure of an Elder's material personal interest; and

the minutes shall be entered into the minute book and distributed to Elders within 7 days after the Eldership Meeting is held.

18.3.5 The Eldership Chair shall ensure that the minutes of an Eldership Meeting are reviewed and signed as correct by the chair of the meeting or the chair of the next Eldership Meeting.

18.3.6 When the minutes of an Eldership Meeting have been signed as correct they are, until the contrary is proved, evidence that:

18.3.6.1 the Eldership Meeting to which the minutes relate was duly convened and held; and

18.3.6.2 the matters recorded as having taken place at the Eldership Meeting took place as recorded; and

18.3.6.3 any appointment purportedly made at the Eldership Meeting was validly made.

### **18.4 Eldership Meetings**

18.4.1 Eldership Meetings may be conducted:

18.4.1.1 in person ("In Person Eldership Meetings"); or

18.4.1.2 by electronic communication ("Virtual Eldership Meetings").

- 18.4.2 The Eldership shall meet at least 5 times each year at In Person Eldership Meetings on the dates and at the times and places determined by the Eldership.
- 18.4.3 In Person Eldership Meetings additional to the In Person Eldership Meetings required pursuant to rule [18.4.2] may be convened by the Eldership Chair, the Senior Pastor, or any 2 Eldership Members.
- 18.4.4 Virtual Eldership Meetings additional to the In Person Eldership Meetings required pursuant to rule [18.4.2] may be convened by the Eldership Chair or the Senior Pastor (“the Virtual Convener”).
- 18.4.5 The Eldership shall not meet without the Senior Pastor or the Senior Pastor’s consent, except where the Eldership less the Senior Pastor wish to discuss disciplinary or performance matters concerning the Senior Pastor.
- 18.4.6 Virtual Eldership Meetings shall not be convened to consider disciplinary or performance matters concerning the Senior Pastor or to undertake a review of the Senior Pastor.
- 18.4.7 No business is to be conducted at an Eldership Meeting unless a quorum is present.
- 18.4.8 Each Elder has a vote. A question arising at an Eldership Meeting must be decided by a majority of votes.
- 18.4.9 In Person Eldership Meetings
- 18.4.9.1 At an In Person Eldership Meeting, 50% of the Elders will constitute a quorum.
- 18.4.9.2 Notice of each In Person Eldership Meeting must be given to each Elder at least 24 hours before the time of the In Person Eldership Meeting. The notice shall advise the date, time, and place of the In Person Eldership Meeting and shall describe the general nature of the business to be conducted at the In Person Eldership Meeting.
- 18.4.9.3 Urgent business that has not been described in the notice may be conducted at the In Person Eldership Meeting if the Elders at the In Person Eldership Meeting unanimously agree to treat that business as urgent.
- 18.4.9.4 If the Eldership Chair is absent or unwilling to act as Eldership Chair of an In Person Eldership Meeting, the Elders at the In Person Eldership Meeting shall choose the Senior Pastor or one of the other Non-Staff Elders to act as Eldership Chair of that In Person Eldership Meeting.
- 18.4.9.5 The procedure to be followed at an In Person Eldership Meeting shall be determined from time to time by the Eldership.
- 18.4.9.6 The order of business at an In Person Eldership Meeting may be determined by the Elders at the In Person Eldership Meeting.
- 18.4.9.7 If a member of the Eldership is unable to attend an In Person Eldership Meeting in person, the presence of that Elder at an In Person Eldership Meeting may be by that Elder and each other Elder at the In Person Eldership Meeting being simultaneously in contact by telephone or other means of instantaneous communication. An Elder who participates in an In Person Eldership Meeting by such communication is taken to be present at the In Person Eldership Meeting and, if the Elder votes at the In Person Eldership Meeting, the Elder is taken to have voted in person.
- 18.4.10 Virtual Eldership Meetings
- 18.4.10.1 For a Virtual Eldership Meeting, 75% of the Elders will constitute a quorum.
- 18.4.10.2 Notice of each Virtual Eldership Meeting must be sent by the Virtual Convener to each of the other Elders by electronic communication of briefing notes addressing a single item of Eldership business, with an invitation for each Elder



to respond to that single item of Eldership business by electronic communication to all other Elders within 48 hours (“the Virtual Eldership Notice”).

18.4.10.3 Elders who respond to the Virtual Eldership Notice within 48 hours are taken to be present at that Virtual Eldership Meeting.

18.4.10.4 Elders may vote at the Virtual Eldership Meeting by electronic communication to all other Elders.

18.4.10.5 If any Elder objects within 48 hours of the Virtual Eldership Notice to the single item of Eldership business in the Virtual Eldership Notice being dealt with at a Virtual Eldership Meeting then that single item of Eldership business in the Virtual Eldership Notice may not be dealt with at a Virtual Eldership Meeting.

18.4.11 The acts of the Eldership, or of an Elder, or of persons appointed by the Eldership, are valid despite any defect that may afterwards be discovered in the election, appointment or qualification of an Elder or person appointed by the Eldership.

## **18.5 Material Personal Interest**

18.5.1 Any Elder who has a material personal interest in a matter being considered at an Eldership Meeting must, as soon as he becomes aware of that interest, disclose the nature and extent of his interest to the Eldership; and disclose the nature and extent of the interest at the next General Meeting of the Church. This rule does not apply in respect of a material personal interest:

18.5.1.1 that exists only because the Elder is an employee of the Church; or

18.5.1.2 that the Elder has in common with all, or a substantial proportion of, the Members of the Church.

18.5.2 An Elder who has a material personal interest in a matter being considered at an Eldership Board Meeting shall not be present while the matter is being considered at that Eldership Board Meeting or vote on the matter.

18.5.3 Every disclosure made by an Elder of a material personal interest must be recorded in the minutes of the Eldership Board Meeting at which the disclosure was made.

## **19 PASTORAL TEAM**

### **19.1 Pastoral Team Composition**

19.1.1 The Pastoral Team shall comprise:

19.1.1.1 the Senior Pastor; and

19.1.1.2 all Associate Pastors engaged by the Church to work at 0.6 FTE or above.

### **19.2 Pastoral Team Responsibilities**

19.2.1 The Pastoral Team are responsible for:

19.2.1.1 review of day to day Ministry;

19.2.1.2 oversight of day to day Ministry;

19.2.1.3 working on Ministry development, including the implementation of the Annual Ministry Plan and the formation of future Annual Ministry Plans;

19.2.1.4 submitting to the Diaconate budget proposals for Church ministry areas;

19.2.1.5 reviewing the preaching and teaching program; and

19.2.1.6 monitoring and responding to day to day discipleship needs and opportunities.

### **19.3 Pastoral Team Meetings**

19.3.1 The Pastoral Team shall meet at the times and places determined by the Senior Pastor and Pastoral Team Meetings may also be attended by any other person or persons invited to be part of the Pastoral Team by the Senior Pastor or the Pastoral Team.

19.3.2 The Senior Pastor shall lead the Pastoral Team Meetings. If the Senior Pastor is unable to lead a Pastoral Team Meeting then the Senior Pastor shall nominate an Associate Pastor to lead that Pastoral Team Meeting.

## **20 DIACONATE**

### **20.1 Diaconate Composition**

20.1.1 The Diaconate shall comprise:

20.1.1.1 the Senior Pastor for so long as the Senior Pastor is eligible to accept an appointment and act as a Responsible Officer under the Act;

20.1.1.2 the Eldership Board Chair for so long as the Eldership Board Chair is eligible to accept an appointment and act as a Responsible Officer under the Act; and

20.1.1.3 all Deacons.

("Diaconate Members").

20.1.2 A person ceases to be a Diaconate Member if the person:

20.1.2.1 ceases to be the Senior Pastor, the Eldership Board Chair or a Deacon; or

20.1.2.2 fails to attend 3 consecutive Diaconate meetings, of which the person has been given notice, without having notified the Diaconate that the person will be unable to attend.

20.1.3 The Eldership may appoint a Member who is eligible under rule 15.2 to be a Deacon on an interim basis until the next Annual General Meeting or Special General Meeting if a Diaconate Member has ceased to be a Diaconate Member and that Diaconate Member position was not filled at the most recent Annual General Meeting or Special General Meeting.

### **20.2 Diaconate Responsibilities**

20.2.1 Subject to the Act, this Constitution and any General Resolution passed at a Ministry Meeting consistent with this Constitution, the Diaconate has power to do all things necessary or convenient to be done to ensure the proper management of the affairs of the Church.

20.2.2 The Diaconate must take all reasonable steps to ensure that the Church complies with the Act, this Constitution and any governance policies adopted by the Diaconate.

20.2.3 The Diaconate are also responsible for:

20.2.3.1 constituting the management committee for the purposes of the Act;

20.2.3.2 adoption and management of management policy;

20.2.3.3 appointing Support Workers in accordance with the budget;

20.2.3.4 oversight of financial management;

- 20.2.3.5 reporting on financial management to the Eldership Board, the Eldership and at Church Members Meetings;
- 20.2.3.6 property maintenance and management;
- 20.2.3.7 risk management;
- 20.2.3.8 compliance with the ACNC;
- 20.2.3.9 the authorisation and appointment of a person or persons to:
  - a. authorise Approved Signatories;
  - b. co-ordinate the Church's correspondence;
  - c. maintain on behalf of the Church the Membership Register as required under rule [10.6];
  - d. ensuring the maintenance, on behalf of the Church, of an up-to-date copy of this Constitution, as required under the Act;
  - e. maintain on behalf of the Church the Register of Office Bearers and other persons authorised to act on behalf of the Church, as required under rule [16]; and
  - f. ensure the safe custody of the books of the Church, other than the Financial Records of the Church;
- 20.2.3.10 in consultation with the Eldership Board and the Eldership, forming the budget in line with the annual ministry plan and finalising the budget and presenting the budget to the Church for approval;
- 20.2.3.11 for appointing the managing Diaconate/s of the Church's incorporated ministries, if any, and for ensuring alignment of those ministries with the vision and mission of the Church as agreed by the Members from time to time; and
- 20.2.3.12 any other management duties as designated from time to time by General Resolution of the Church consistent with this Constitution.
- 20.2.3.13 The Diaconate may authorize the use of undesignated, available general funds of up to 2.5% of the annual budget per annum on expenditure not provided for at the time of setting the budget.

### **20.3 Diaconate Chair**

- 20.3.1 The Diaconate Chair shall be a Deacon appointed by the Diaconate as the Diaconate Chair from time to time.
- 20.3.2 The Diaconate Chair has the powers and duties relating to convening and presiding at Diaconate Meetings.
- 20.3.3 The Diaconate Chair, in consultation with the Senior Pastor, sets the agenda for Diaconate Meetings and produces the briefing notes for Diaconate Meetings.
- 20.3.4 The Diaconate Chair shall ensure that minutes are taken and kept of each Diaconate Meeting including the following:
  - 20.3.4.1 the names of the Diaconate Members present at the Diaconate Meeting;
  - 20.3.4.2 the business considered at the Diaconate Meeting;
  - 20.3.4.3 any motion on which a vote is taken at the Diaconate Meeting and the result of the vote;

20.3.4.4 any disclosure of a Diaconate Member's material personal interest; and

the minutes shall be entered into the minute book and distributed to Diaconate Members within 7 days after the Diaconate Meeting is held.

20.3.5 The Diaconate Chair shall ensure that the minutes of a Diaconate Meeting are reviewed and signed as correct by the chair of the meeting or the chair of the next Diaconate Meeting.

20.3.6 When the minutes of a Diaconate Meeting have been signed as correct they are, until the contrary is proved, evidence that:

20.3.6.1 the Diaconate Meeting to which the minutes relate was duly convened and held; and

20.3.6.2 the matters recorded as having taken place at the Diaconate Meeting took place as recorded; and

20.3.6.3 any appointment purportedly made at the Diaconate Meeting was validly made.

## 20.4 Diaconate Meetings

20.4.1 Diaconate Meetings may be conducted:

20.4.1.1 in person ("In Person Diaconate Meetings"); or

20.4.1.2 by electronic communication ("Virtual Diaconate Meetings").

20.4.2 The Diaconate shall meet at least 5 times each year at In Person Ministry Support Team Meetings on the dates and at the times and places determined by the Ministry Support Team.

20.4.3 In Person Diaconate Meetings additional to the In Person Diaconate Meetings required pursuant to rule [20.4.2] may be convened by the Eldership Chair, the Senior Pastor, or any 2 Diaconate Members.

20.4.4 Virtual Diaconate Meetings additional to the In Person Diaconate Meetings required pursuant to rule [20.4.2] may be convened by the Diaconate Chair or the Senior Pastor ("the Virtual Convener").

20.4.5 The Diaconate shall not meet without the Senior Pastor and/or the Eldership Board Chair, without the consent of either the Senior Pastor or the Eldership Board Chair.

20.4.6 No business is to be conducted at a Diaconate Meeting unless a quorum is present.

20.4.7 Each Diaconate Member has a vote. A question arising at a Diaconate Meeting must be decided by a majority of votes.

20.4.8 In Person Diaconate Meetings

20.4.8.1 At an In Person Diaconate Meeting, 50% of the Diaconate Members will constitute a quorum.

20.4.8.2 Notice of each In Person Diaconate Meeting must be given to each Diaconate Member at least 24 hours before the time of the In Person Diaconate Meeting. The notice shall advise the date, time, and place of the In Person Diaconate Meeting and shall describe the general nature of the business to be conducted at the In Person Diaconate Meeting.

20.4.8.3 Urgent business that has not been described in the notice may be conducted at the In Person Diaconate Meeting if the Diaconate Members at the In Person Diaconate Meeting unanimously agree to treat that business as urgent.

20.4.8.4 The procedure to be followed at an In Person Diaconate Meeting shall be determined from time to time by the Diaconate.

20.4.8.5 The order of business at an In Person Diaconate Meeting may be determined by the Diaconate Members at the In Person Diaconate Meeting.

20.4.8.6 If a member of the Diaconate is unable to attend an In Person Diaconate Meeting in person, the presence of that Diaconate Member at an In Person Diaconate Meeting may be by that Diaconate Member and each other Diaconate Member at the In Person Diaconate Meeting being simultaneously in contact by telephone or other means of instantaneous communication. A Diaconate Member who participates in an In Person Diaconate Meeting by such communication is taken to be present at the In Person Diaconate Meeting and, if the Diaconate Member votes at the In Person Diaconate Meeting, the Diaconate Member is taken to have voted in person.

#### 20.4.9 Virtual Diaconate Meetings

20.4.9.1 For a Virtual Diaconate Meeting, 75% of the Diaconate Members will constitute a quorum.

20.4.9.2 Notice of each Virtual Diaconate Meeting must be sent by the Virtual Convener to each of the other Diaconate Members by electronic communication of briefing notes addressing a single item of Diaconate business, with an invitation for each Diaconate Member to respond to that single item of Diaconate business by electronic communication to all other Diaconate Members within 48 hours (“the Virtual Diaconate Notice”).

20.4.9.3 Diaconate Members who respond to the Virtual Diaconate Notice within 48 hours are taken to be present at that Virtual Diaconate Meeting.

20.4.9.4 Diaconate Members may vote at the Virtual Diaconate Meeting by electronic communication to all other Diaconate Members.

20.4.9.5 If any Diaconate Member objects within 48 hours of the Virtual Diaconate Notice to the single item of Diaconate business in the Virtual Notice being dealt with at a Virtual Diaconate Meeting then that single item of Diaconate business in the Virtual Diaconate Notice may not be dealt with at a Virtual Diaconate Meeting.

20.4.10 The acts of the Diaconate, or of a Diaconate Member, or of persons appointed by the Diaconate, are valid despite any defect that may afterwards be discovered in the election, appointment or qualification of a Diaconate Member or person appointed by the Diaconate.

### 20.5 Payment to Diaconate Members

20.5.1 A Diaconate Member is entitled to be paid out of the funds of the Church for any out-of-pocket expenses properly incurred in connection with the Church’s business upon presentation of supporting receipts.

### 20.6 Material Personal Interest

20.6.1 Any Diaconate Member who has a material personal interest in a matter being considered at a Diaconate Meeting must, as soon as he or she becomes aware of that interest, disclose the nature and extent of his or her interest to the Diaconate; and disclose the nature and extent of the interest at the next General Meeting of the Church. This rule does not apply in respect of a material personal interest:

20.6.1.1 that exists only because the Diaconate Member is an employee of the Church; or

20.6.1.2 that the Diaconate Member has in common with all, or a substantial proportion of, the Members of the Church.

20.6.2 A Diaconate Member who has a material personal interest in a matter being considered at a Diaconate Meeting shall not be present while the matter is being considered at that Diaconate Meeting or vote on the matter.

20.6.3 Every disclosure made by a Diaconate Member of a material personal interest must be

recorded in the minutes of the Diaconate Meeting at which the disclosure was made.

## **21 Subcommittees**

21.1 To help in the conduct of the Church's business, any of the Eldership Board, the Eldership and the Diaconate ("the Subcommittee Appointor") may establish, in writing, one or more subcommittees. A subcommittee may consist of the number of people, whether or not Members, that the Subcommittee Appointor considers appropriate.

21.2 Subject to any directions given by the Subcommittee Appointor, a subcommittee may meet and conduct business as it considers appropriate.

21.3 The Subcommittee Appointor may, in writing, delegate to a subcommittee the exercise of any power or the performance of any duty of the Subcommittee Appointor other than:

21.3.1 the power to delegate; and

21.3.2 a non-delegable duty.

21.4 The delegation may be made subject to any conditions, limitations, or exceptions that the Subcommittee Appointor specifies in the document by which the delegation is made. However this does not prevent the Subcommittee Appointor from exercising or performing the power or duty delegated.

21.5 Any act or thing done by the subcommittee under the delegation has the same force and effect as if it had been done by the Subcommittee Appointor.

21.6 The Subcommittee Appointor may, in writing, amend or revoke wholly or in part any delegation.

## **22 MINISTRY LEADERS**

### **22.1 Ministry Areas**

22.1.1 The Eldership Board shall determine the ministry areas of the Church.

22.1.2 The Eldership Board may appoint Ministry Leaders to ministry areas.

### **22.2 Ministry Leaders**

22.2.1 The Eldership Board shall set policies as to the appointment of Ministry Leaders.

22.2.2 All remunerated Staff Ministry Leader appointments must be reflected in the budget.

## **23 SUPPORT WORKERS**

### **23.1 Support Areas**

23.1.1 The Diaconate shall determine the support areas of the Church.

23.1.2 The Diaconate may appoint Support Workers to support areas.

### **23.2 Support Workers**

23.2.1 The Diaconate shall set policies as to the appointment of Support Workers.

23.2.2 All remunerated Staff Support Worker appointments must be reflected in the budget.

## **24 CHURCH GOVERNANCE**

- 24.1 The purpose of any Annual General Meeting, General Meeting or Special General Meeting (“Church Members Meetings”) shall be to seek to discover and confirm the mind of God on matters affecting the life and work of the Church and its mission.
- 24.2 There shall be at least 4 Church Members Meetings each year - the Annual General Meeting, at least 3 General Meetings and any additional Special General Meetings.

### **24.3 Annual General Meeting**

- 24.3.1 There shall be an Annual General Meeting of Members held within 6 months of the end of the Church’s Financial Year. The Eldership shall determine the date, time and place of the Annual General Meeting.
- 24.3.2 The ordinary business of the Annual General Meeting shall:
  - 24.3.2.1 confirm the minutes of the previous Annual General Meeting and of any Special General Meeting held since then if the minutes of that Annual General Meeting and any such Special General Meeting have not yet been confirmed;
  - 24.3.2.2 receive and consider the annual report;
  - 24.3.2.3 receive and consider the Financial Statements or the Financial Report of the Church for the preceding Financial Year;
  - 24.3.2.4 receive a copy of the report of the review or auditor’s report on the Financial Statements or Financial Report;
  - 24.3.2.5 appoint Non-Staff Elders, Deacons and the Treasurer (can also be considered at a Special General Meeting);
  - 24.3.2.6 make any decisions regarding the alteration to this Constitution; and
  - 24.3.2.7 decide any other business of which notice has been given in accordance with these rules.
- 24.3.3 The appointment of Non-Staff Elders, Deacons and the Treasurer shall normally take place at the Annual General Meeting but may take place at any Special General Meeting.

### **24.4 General Meeting**

- 24.4.1 There shall be a General Meeting held at least 1 month prior to the end of the Church’s Financial Year. The Eldership shall determine the date, time and place of the General Meeting.
- 24.4.2 The ordinary business of the General Meeting shall include:
  - 24.4.2.1 approval of the budget;
  - 24.4.2.2 approval of non-budgeted expenditure, outside the agreed parameters that have been delegated to leadership by this Constitution or the Members;
  - 24.4.2.3 deciding any other business of which notice has been given in accordance with this Constitution.

### **24.5 Special General Meetings**

- 24.5.1 The Eldership may convene a Special General Meeting.
- 24.5.2 The Eldership must convene a Special General Meeting when Members need to make decisions regarding the:

- 24.5.2.1 calling of a Senior Pastor and/or Associate Pastor;
  - 24.5.2.2 appointment of any Non-Staff Elders, any Deacons and/or the Treasurer; or
  - 24.5.2.3 purchase or substantial development of land and property; or
  - 24.5.2.4 dissolution of the church; or
  - 24.5.2.5 alteration to this Constitution (can also be considered at an Annual General Meeting).
- 24.5.3 The alteration of this Constitution shall normally take place at a Special General Meeting but may take place at the Annual General Meeting.
- 24.5.4 The Eldership, on receipt of a written request (“the Meeting Request”) stating the business to be considered at a Special General Meeting and signed by at least 15% of Members (“the Requesting Members”), shall call a Special General Meeting within 28 days of the request being received.
- 24.5.5 If the Eldership does not convene a Special General Meeting within that 28 day period, the Requesting Members or any of the Requesting Members, may convene the Special General Meeting. Such a Special General Meeting:
- 24.5.5.1 must be held within 3 months after the date the Meeting Request was made; and
  - 24.5.5.2 may only consider the business stated in the Meeting Request.

## 24.6 Notice of Church Members Meetings

- 24.6.1 The Eldership or, in the case of a Special General Meeting convened under rule [24.5.5], the Requesting Members or any of the Requesting Members convening the meeting, shall give Members at least 10 days’ notice of a Church Members Meeting unless another period of notice is specified in this Constitution, in which case that other period of notice shall be given to the Members:
- 24.6.1.1 the notice shall specify the date, time and place of the Church Members Meeting; and
  - 24.6.1.2 the notice shall indicate the general nature of each item to be considered at the Church Members Meeting; and
  - 24.6.1.3 if the Church Members Meeting is the Annual General Meeting; or a Special General Meeting convened for the purpose of the appointment Non-Staff Elders, Deacons and/or the Treasurer then the notice shall include the names of the Members who have nominated for appointment as Non-Staff Elders, Deacons and/or the Treasurer; and
  - 24.6.1.4 if a Special Resolution is proposed then the notice shall set out the wording of the proposed Special Resolution and state that the Special Resolution is intended to be proposed as a Special Resolution.
- 24.6.2 The Eldership or, in the case of a Special General Meeting convened under rule [24.5.5], the Requesting Members or any of the Requesting Members convening the meeting, will give such notice of a Church Members Meeting by serving it on each Member personally by:
- 24.6.2.1 advertising in at least one of the following ways during the period commencing at least 10 days prior to the Church Members Meeting:
    - a. announcement at each of the Services at the Church; and/or
    - b. inclusion in any weekly publication of the Church distributed to the Church congregation; and
  - 24.6.2.2 sending an email and/or other Ministry Team approved electronic communication



at least 10 days prior to the Church Members Meeting to all email and/or other Ministry Team approved electronic addresses for Members on the Membership Register.

- 24.6.3 All notices of and other communications relating to any Church Members Meetings that a Member is entitled to receive must be given to the reviewer or auditor (where appointed).

## 24.7 Quorum

- 24.7.1 Unless otherwise stated in this Constitution, at least 15% of the Voting Members personally present shall be the quorum for any Annual General Meeting or any General Meeting where binding decisions are to be made.
- 24.7.2 Unless otherwise stated in this Constitution, at least 30% of the Voting Members personally present shall be the quorum for any Special General Meeting where binding decisions are to be made.

## 24.8 Procedure at Meetings

- 24.8.1 For each Church Members Meeting convened by the Eldership, the Eldership shall appoint a Chairperson.
- 24.8.2 For each Special General Meeting convened under rule [24.5.5], the Requesting Members or any of the Requesting Members convening the meeting shall appoint a Chairperson.
- 24.8.3 If the Chairperson is absent or is unwilling to act as Chairperson of a Church Members Meeting, the Voting Members at the Church Members Meeting shall appoint a Chairperson of the Church Members Meeting.
- 24.8.4 No business is to be conducted at a Church Members Meeting unless a quorum is present.
- 24.8.5 If a quorum is not present within 30 minutes after the notified commencement time of a Church Members Meeting:
- 24.8.5.1 in the case of the Annual General Meeting the meeting is adjourned to:
- a. the same time and day the following week; and
  - b. the same place, unless the Chairperson specifies another place at the time of the adjournment or notice, such notice to be by sending an email and/or other Ministry Team approved electronic communication to all email and/or other Ministry Team approved electronic addresses for Members on the Membership Register, of another place is given to the Members before the day to which the Annual General Meeting was adjourned;
- ("the First Adjourned AGM Meeting");
- 24.8.5.2 in the case of a General Meeting, the General Meeting lapses; or
- 24.8.5.3 in the case of a Special General Meeting, the Special General Meeting lapses.
- 24.8.6 If a quorum is not present within 30 minutes after the commencement time of a First Adjourned AGM then the meeting is adjourned to:
- a. the same time and day the following week; and
  - b. the same place, unless the Chairperson specifies another place at the time of the adjournment or notice of another place is given to the Members, such notice to be by sending an email and/or other Ministry Team approved electronic communication to all email and/or other Ministry Team approved electronic addresses for Members on the Membership Register, before the day to which the Annual General Meeting was adjourned;

("the Second Adjourned AGM Meeting");

- 24.8.7 If a quorum is not present within 30 minutes after the commencement time of a Second Adjourned AGM Annual General Meeting and at least 2 Voting Members are present at that Second Adjourned AGM Annual General Meeting, those Voting Members present are taken to constitute a quorum.
- 24.8.8 The Chairperson of a General Meeting at which a quorum is present may, with the consent of the majority of the Voting Members present at that General Meeting, adjourn that General Meeting to another time at the same place or at another place.
- 24.8.9 No business may be conducted on the resumption of an adjourned Church Members Meeting other than the business that remained unfinished when the Church Members Meeting was adjourned.
- 24.8.10 Notice of the adjournment of a Church Members Meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the Church Members Meeting must be given in accordance with rule [24.6].

## 24.9 Attendance and voting

- 24.9.1 All Members may attend Church Members Meetings and all Voting Members are, when possible, expected to personally attend Church Members Meetings.
- 24.9.2 Voting Members who personally attend a Church Members Meeting may vote at that Church Members Meeting.
- 24.9.3 Unless a Church Members Meeting is specified by the Eldership to be a Church Members Meeting that only Members are permitted to attend, others of the Church congregation who are not Members are permitted to attend Church Members Meetings but may not vote.
- 24.9.4 On any question arising at a Church Members Meeting:
  - 24.9.4.1 Subject to rule [24.9.5.2], each Voting Member has one vote; and
  - 24.9.4.2 Voting Members shall vote in person.
- 24.9.5 General Resolutions
  - 24.9.5.1 A motion is carried by General Resolution if a majority of the Voting Members present at a Church Members Meeting vote in favour of the motion.
  - 24.9.5.2 If votes are divided equally on a question to be decided by General Resolution, the Chairperson of the Church Members Meeting has a second or casting vote.
  - 24.9.5.3 Subject to rules [24.9.6], the Chairperson of a Church Members Meeting may, by a show of hands, declare that a General Resolution has been carried; or lost and any such declaration must be recorded in the minutes of the Church Members Meeting as evidence of how the General Resolution was determined.
  - 24.9.5.4 A secret ballot shall be held if requested by not less than 10% of the Voting Members present at the Church Members Meeting or if requested by the Chairperson and:
    - a. that secret ballot shall be adjudicated by not less than 2 scrutineers appointed from the Members present by General Resolution at that Church Members Meeting; and
    - b. the result of that secret ballot must be recorded in the minutes of the Church Members Meeting as evidence of how the General Resolution was determined.
- 24.9.6 Special Resolutions

- 24.9.6.1 A motion is carried by Special Resolution if notice of that Special Resolution was given to the Members in accordance with rule [24.6.1.1] and 75% or more of the Voting Members present by secret ballot at a Church Members Meeting vote in favour of the motion and:
- a. that secret ballot shall be adjudicated by not less than 2 scrutineers appointed from the Voting Members present by General Resolution at that Church Members Meeting; and
  - b. the result of that secret ballot must be recorded in the minutes of the Church Members Meeting as evidence of how the General Resolution was determined.
- 24.9.6.2 At a Church Members Meeting at which a resolution is proposed as a Special Resolution is submitted, a declaration by the Chairperson of that meeting that the resolution has been passed as a Special Resolution shall be evidence of the fact unless, during the meeting at which the resolution is submitted, a poll is demanded in accordance with the rules of the Church or, if the rules do not make provision as to the manner in which a poll may be demanded, by at least 3 Members of the Church present in person.
- 24.9.6.3 If a poll is held, a declaration by the person presiding as to the result of a poll is evidence of the matter so declared.

#### 24.9.7 Polls

- 24.9.7.1 If a Poll is demanded on any question by the Chairperson of the Church Members Meeting or by at least 3 other Members present in person:
- a. The Poll must be taken at the Church Members Meeting in the manner determined by the Chairperson; and
  - b. The Chairperson must declare the determination of the resolution on the basis of the Poll.
- 24.9.7.2 If a Poll is demanded on the election of the Chairperson or on a question of an adjournment, the Poll must be taken immediately.

### 24.10 Church Members Meetings

- 24.10.1 For each Church Members Meeting convened by the Eldership, the Eldership shall appoint a person to take and keep minutes of each Church Members Meeting.
- 24.10.2 For each Special General Meeting convened under rule [24.5.5], the Requesting Members or any of the Requesting Members convening the meeting shall appoint a person to take and keep minutes of that Special General Meeting.
- 24.10.3 The minutes must record the business considered at the Church Members Meeting, any General Resolution or Special Resolution which a vote is taken and the result of the vote.
- 24.10.4 In addition, the minutes of each Annual General Meeting must record:
- 24.10.4.1 the names of the Members attending the Annual General Meeting; and
  - 24.10.4.2 the Financial Statements or financial report presented at the Annual General Meeting; and
  - 24.10.4.3 any report of the review or auditor's report on the Financial Statements or financial report presented at the Annual General Meeting.
- 24.10.5 The minutes of a Church Members Meeting must be entered in the Church's minute book within 14 days after the Church Members Meeting is held.
- 24.10.6 The Chairperson shall ensure that the minutes of a Church Members Meeting are reviewed and

signed as correct by:

24.10.6.1 the Chairperson of the Church Members Meeting; or

24.10.6.2 the Chairperson of the next Church Members Meeting; or

24.10.6.3 the Eldership Chair upon review and approval of those minutes by the Eldership.

24.10.7 When the minutes of a Church Members Meeting have been signed as correct they are, in the absence of evidence to the contrary, taken to be proof that:

24.10.7.1 the Church Members Meeting to which the minutes relate was duly convened and held; and

24.10.7.2 the matters recorded as having taken place at the Church Members Meeting took place as recorded; and

24.10.7.3 any election or appointment purportedly made at the Church Members Meeting was validly made.

## **25 FINANCIAL MATTERS**

### **25.1 Control of funds**

25.1.1 The Church must operate an account in the name of the Church with a financial institution from which all expenditure of the Church is made and into which all funds received by the Church are deposited.

25.1.2 Subject to the Act, this Constitution and any General Resolutions or Special Resolutions passed at a Church Members Meeting, the Diaconate may approve expenditure on behalf of the Church.

25.1.3 The Diaconate may authorise the Treasurer to expend funds on behalf of the Church up to a specified limit without requiring approval from the Diaconate for each item on which the funds are expended.

25.1.4 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments of the Church must be signed by two Approved Signatories, where practicable at least one of them being a Diaconate Member.

25.1.5 All funds of the Church must be deposited into the Church's account promptly after their receipt.

25.1.6 The Church must keep Financial Records that;

25.1.6.1 correctly record and explain its transactions and financial position and performance; and

25.1.6.2 enable true and fair Financial Statements to be prepared in accordance with Part 5 of the Act.

25.1.7 The Church must retain its Financial Records for at least 7 years after the transactions covered by the records are completed.

### **25.2 Financial Statements and Financial Reports**

25.2.1 For each Financial Year, the Diaconate must ensure that the requirements imposed on the Church under Part 5 of the Act relating to the financial reporting of the Church are met.

25.2.2 Those requirements include:

25.2.2.1 if the Church is a tier 1 association, the preparation of the Financial Statements;

- 25.2.2.2 if the Church is a tier 2 or tier 3 association, the preparation of the Financial Report.
  - 25.2.2.3 the presentation to the Annual General Meeting of the Financial Statements or Financial Report, as applicable
- 25.2.3 Where the Church is a tier 2 or tier 3 association, or where the Members of the Church request it, an audit or review (as appropriate) of the Financial Report is required for presentation to a Church Members Meeting.

### **25.3 NOT FOR PROFIT**

- 25.3.1 The property and income of the Church must be applied solely towards the promotion of the objects or purposes of the Church and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in the promotion of those objects or purposes.
- 25.3.2 A payment may be made to a Member out of the funds of the Church only if:
- 25.3.2.1 The payment in good faith to the Member as reasonable remuneration for any services provided to the Church, or for goods supplied to the Church, in the ordinary course of business;
  - 25.3.2.2 The direct or indirect payment in good faith to the Member, who is not a Diaconate Member, is in financial support of that Member who has been determined by the Diaconate to be a person in need of financial support and which direct or indirect payment has been approved by the Diaconate; or
  - 25.3.2.3 The direct or indirect payment in good faith to a Diaconate Member is in financial support of that Diaconate Member who has been determined by General Resolution at a Church Members Meeting as a Member in need financial support and which direct or indirect payment has been approved by General Resolution at a Church Members Meeting; or
  - 25.3.2.4 The payment of interest, on money borrowed by the Church from the Member, at a rate not greater than the secured lending rate of the financial institution with which the Church conducts its financial affairs; or
  - 25.3.2.5 The payment of reasonable rent to the Member for premises leased by the Member to the Church; or
  - 25.3.2.6 The reimbursement of reasonable expenses properly incurred by the Member on behalf of the Church upon presentation of supporting receipts.

## **26 EXECUTING DOCUMENTS**

- 26.1 The Church may execute a document without using a common seal if the document is signed by:
- 26.1.1 2 Office Bearers; or
  - 26.1.2 1 Office Bearer and 1 person authorised by the Diaconate.

## **27 CUSTODY OF BOOKS AND SECURITIES**

- 27.1 The Diaconate must appoint and authorise a person to have custody or control of the books and any securities of the Church and subject to sub rule [27.2], the books and any securities of the Church shall be kept in that person's custody or under that person's control.
- 27.2 The Financial Records and, as applicable, the Financial Statements or Financial Reports of the

Church must be kept in the Treasurer's custody or under the Treasurer's control.

27.3 Rules [27.1] and [27.2] have effect except as otherwise decided by the Diaconate.

27.4 The books of the Church other than the Minute Books must be retained for at least 7 years. The Minute Books should as far as is possible, be retained as a permanent record.

## **28 INSPECTION OF CHURCH RECORDS**

28.1 A Member may, at any reasonable time, inspect without charge this Constitution, minutes of any Church Members Meeting, the Membership Register, the Register of Office Bearers and any reports presented at any Church Members Meeting ("the Church Records").

28.2 A Member who wishes to inspect the Church Records must contact the Diaconate to make the necessary arrangements for the inspection of the Church Records at a mutually convenient time.

28.3 A Member may take a copy of or take an extract from the Church Records but does not have a right to remove the Church Records for that purpose.

28.4 If a Member:

28.4.1 wishes to make a copy of all or part of the Membership Register; or

28.4.2 makes a written request under section 56(1) of the Act to be provided with a copy of the Membership Register;

the Diaconate may require that Member to provide a statutory declaration setting out the purpose for which the copy or extract is required and declaring that the purpose is connected with the affairs of the Church.

28.5 A person must not use or disclose information in the Church Records except for a purpose:

28.5.1 that is directly connected with the affairs of the Church; or

28.5.2 that is related to complying with a requirement of the Act.

## **29 PUBLICATION BY OFFICER BEARERS PROHIBITED**

29.1 Office Bearers must not publish, or cause to be published, beyond publishing, or causing to be published, beyond the Church congregation any statement about the business conducted by the Church at a Church Members Meeting, an Eldership Board Meeting, an Eldership Meeting or a Diaconate Meeting unless:

29.1.1 the Office Bearer has been authorised to do so at an Eldership Board Meeting, an Eldership Meeting or a Diaconate Meeting; and

29.1.2 the authority given to the Office Bearer has been recorded in the minutes of the Eldership Board Meeting, an Eldership Meeting or a Diaconate Meeting at which it was given.

## **30 ORDINANCES**

30.1 New Testament baptism by immersion shall be administered by the Church by any member of the Pastoral Team or any baptised believer whom the Eldership may approve.

30.2 The Ordinance of the Lord's Supper shall be open to all true believers in the Lord Jesus Christ and shall usually be observed once a month at each of the regular Service times of the Church.

## **31 PROPERTY**

- 31.1 Church buildings and property shall not be occupied or used by persons or organisations for any purpose except where prior consent has been obtained from the Diaconate or from a person authorised by the Diaconate to give that consent.
- 31.2 No land or building shall be bought, sold, disposed of or mortgaged in any way, without a Special Resolution at a Special General Meeting called for that purpose.
- 31.3 The proceeds derived from the sale, lease, mortgage, or pledge or other encumbrance shall be applied and devoted in such manner as the Church Members Meeting may deem best fitted to secure the furtherance of the objects of the Church and the propagation of its principles.

## **32 DISSOLUTION OF THE CHURCH**

- 32.1 The Church may be dissolved by a Special Resolution at a Special General Meeting called for that purpose, provided at least 28 days' notice of the proposal to dissolve the Church has been given to the Members.
- 32.2 In the event of such a Special Resolution being passed, or the cancellation of the incorporation, the Diaconate shall continue in office and take all the necessary steps to wind up the affairs of the Church in accordance with the provisions of the Act.
- 32.3 After payment of all debts and liabilities any surplus assets (not including the books relating to the management of the Church) are to be distributed in accordance with a decision of a Special General Meeting in a manner consistent with the purposes of the Church and endorsed by the ACNC as a charity. In the event of no decision being made by the Church then the BUWA may make such a decision on behalf of the Church.

## **33 AMENDMENT OF THIS CONSTITUTION**

- 33.1 If the Church wants to alter or rescind any of the rules in this Constitution, or to make additional rules in this Constitution, the Church may do so only by Special Resolution passed at a Special General Meeting of which 28 days' notice of the Special General Meeting has been given to Members.
- 33.2 The Church must lodge with the Commissioner, within one month, the notice of the Special Resolution setting out the particulars of the alteration together with a certificate given by an Office Bearer certifying that the Special Resolution was duly passed as a Special Resolution and that the rules of this Constitution so altered ("the Alteration") conform to the requirements of the Act.
- 33.3 The Alteration does not take effect until the approval of the Commissioner is given.